

THE 9/11 COMMISSION REPORT: DENYING SANCTUARIES TO TERRORISTS

HEARING BEFORE THE SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTH CONGRESS

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FRIDAY, AUGUST 6, 2004

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL TERRORISM,
NONPROLIFERATION AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 10 o'clock a.m. in the Samuel Greenberg Board Room, Los Angeles International Airport, Los Angeles, California, Hon. Elton Gallegly (Chairman of the Subcommittee) presiding.

Mr. GALLEGLY. Good evening. The Subcommittee on International Terrorism, Nonproliferation and Human Rights is holding a hearing on a key recommendation of the 9/11 Commission. Does the United States use all the elements of its national power to develop realistic strategy to keep terrorists on the run, keep them constantly looking over their shoulder, and denying them any chance to have a sanctuary from which to plan a catastrophic attack in the United States?

As part of this strategy the Commission recommends that the U.S. determine, identify, and prioritize actual or potential terrorist safe havens. On this point the Commission itself has identified six regions throughout the world where terrorists will most likely try to locate a sanctuary.

I believe the events leading up to 9/11 provide ample support for the Commission's views. According to our intelligence agencies, between 10,000 and 20,000 fighters underwent training in bin Laden-supported camps in Afghanistan from 1996 to September 2001. Included in this number were all 19 of the hijackers.

However, the Afghan sanctuary allowed al-Qaeda more than just the opportunity to instruct terrorists. It also permitted al-Qaeda to build up logistical networks to provide a safe haven for terrorists who are wanted by law enforcement agencies. Finally, the sanctuary allowed bin Laden to develop the organization to assemble the needed people, money and materials to carry out a complex international operation.

As the report states, the time and a space to plan and the opportunity to recruit and train operatives are key ingredients to being able to launch a catastrophic attack.

I also agree with this analysis of the report and that there are six regions that warrant particular attention as potential or existing terrorist sanctuaries. However, on a note of caution, I believe that the terrorists are constantly searching for new safe havens to

establish operations, including possibly right here in our own hemisphere. It is my hope that both the Commission members and Ambassador Black can discuss other regions or nations where terrorist organizations may be targeting future sanctuaries.

Before turning to Congressman Sherman for an opening statement, I would like to compliment the members of the 9/11 Commission, including the two gentlemen before us today, for their comprehensive, well-reasoned report that they have presented to the Government and the people of the United States. The Commission came together in a non-partisan manner to write and produce a report to the American people. It is my hope that the Congress will now move in a bipartisan manner to review these findings and pass legislation implementing their recommendations.

Just before I turn to my good friend, Brad Sherman, I apologize to all of you. I'm operating on about four cylinders this morning with a little case of laryngitis so if you'll kind of bear with me. Normally my sparkling personality is a little better than today.

In any event, with that I would defer to my good friend for 5 minutes, the gentleman from Sherman Oaks, Brad Sherman.

[The prepared statement of Mr. Gallegly follows:]

PREPARED STATEMENT OF THE HONORABLE ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON INTERNATIONAL TERRORISM, NONPROLIFERATION AND HUMAN RIGHTS

Today, the Subcommittee on International Terrorism, Nonproliferation and Human Rights is holding a hearing on a key recommendation of the 9/11 Commission: That the United States use all the elements of its national power to develop a realistic strategy to keep terrorists on the run, keep them constantly looking over their shoulder and denying them any chance to have a sanctuary from which to plan a catastrophic attack on the United States.

As part of this strategy, the Commission recommends that the U.S. government identify and prioritize actual or potential terrorist safe havens. On this point, the Commission itself has identified six regions throughout the world where terrorists will most likely try to locate a sanctuary.

Let me say at the outset that I agree wholeheartedly with this recommendation. I think the Commission had it right on page 365 of the report when it said that the United States can and must develop the capability to prevent an attack on the scale of 9/11 from succeeding and that this capability will also aid in preventing smaller-scale attacks.

I believe the events leading up to 9/11 provide ample support for the Commission's view. According to our intelligence agencies, between 10,000 and 20,000 fighters underwent training in Bin-Laden supported camps in Afghanistan from 1996 to September 2001. Included in this number were all 19 of the hijackers.

However, the Afghan sanctuary allowed Al Qaeda more than just the opportunity to instruct terrorists. It also permitted Al Qaeda to build up logistical networks and to provide a safe haven for terrorists who were wanted by law enforcement agencies. Finally, the sanctuary allowed Bin Laden to develop the organization to assemble the needed people, money and materials to carry out a complex international operation.

As the Report states, the time and space to plan, and the opportunity to recruit and train operatives, are key ingredients to being able to launch a catastrophic attack.

I also agree with this analysis of the Report that there are six regions that warrant particular attention as potential or existing terrorist sanctuaries. However, on a note of caution, I believe that terrorists are constantly searching for new safe havens to establish operations, including possibly in our own hemisphere. It is my hope that both the Commission members and Ambassador Black can discuss other regions or nations where terrorist organizations may be targeting future sanctuaries.

Before turning to Congressman Sherman for an opening statement, I would like to complement the members of the 9/11 Commission, including the two gentlemen before us today, for the comprehensive, well-reasoned Report they have presented

to the government and people of the United States. The Commission came together in a non-partisan manner to write and present this Report to the American people. It is my hope that Congress will now move in a bi-partisan manner to review these findings and pass legislation implementing them.

I would now like to recognize the ranking member on the subcommittee, Congressman Sherman, for the purposes of an opening statement.

Mr. SHERMAN. Thank you, Mr. Chairman. And let me assure you, your sparkling personality sparkles even through your laryngitis.

Thank you for holding these hearings today. I want to thank Commissioners Ben-Veniste and Gorton for coming here to Los Angeles, for their tireless work, and for the bipartisan spirit in which their report was compiled. Congressional leaders from both parties have called upon us to use this month to examine the Commission's recommendations and our party has called for swift enactment of those recommendations.

Among the areas in which the Commission has urged America to act are four which are relevant to our Committee and to our Subcommittee: Denying terrorist sanctuaries; preventing proliferation; public diplomacy, including broadcasting; and using the economic power of the United States to thwart terrorism proliferation. These hearings, as the Chairman pointed out, focus on denying sanctuary to terrorists.

Perhaps the broadest conclusion of the Commission is that America suffers from a failure of imagination. Until 9/11, al-Qaeda had never killed more than 20 Americans, and so we were unwilling to imagine that they could kill thousands. Now that we have witnessed thousands of Americans dying on a single day, we seem still unwilling or unable to imagine something even more horrendous, that is that nuclear weapons could be used to kill hundreds of thousands of Americans.

This Subcommittee must work not only to prevent a replay of 9/11 but must imagine beyond the scale of 9/11. And this Subcommittee, Congress, and America in general must focus on nuclear proliferation, particularly North Korea and Iran, lest some future commission berate this generation for a failure of imagination.

This is an excellent report on the past, a stirring call for action in the future. It is perhaps unfortunate that public attention has focused on the suggestions in the report to change the organization chart of our intelligence agencies. Now while that is important and the Commission is able to give us precise recommendations that are within the power of the U.S. Government to implement, we should not delude ourselves into thinking that if we could only come up with the perfect organization chart, our work would be done.

While a reading of the press might indicate that the Commission's recommendations focused exclusively on governmental organization charts, the reading of the report shows that it contains extensive recommendations not only as to how we should organize government, but that Chapter 12 provides us with a detailed list of recommendations of what policy objectives we should be pursuing.

The policy objectives of Chapter 12 are, of necessity, more vague than the organizational suggestions in Chapter 13. These hearings are the first, I believe—the first effort of Congress to focus on the policy recommendations of Chapter 12.

The specific recommendation before us is that contained in Chapter 12.2, the U.S. needs to identify places where terrorists are likely to find sanctuary, prioritize them, work to deny those sanctuaries, and work to shut them down where they do exist.

Al-Qaeda literally means “the base.” What al-Qaeda offered to ideologues of the extreme Islamic hatred was literally a base to plan, to organize, to train tens of thousands of recruits to get them and to select those to carry out the most difficult operations. The existence of this base could hardly be concealed from our satellites, it wasn’t even concealed from those who read our newspapers. Yet it is impossible to find a press columnist, a Member of Congress, or an Administration official who said before 9/11 that it was so critical to our national security that we dislodge, if necessary by force, al-Qaeda from Afghanistan even if that meant dislodging the Taliban.

The questions we must ask today are: Which states lack the desire to confront terrorists operating on their soil? Which states have the desire but lack the resources? Which governments are losing control of some of their territory, and which countries are becoming failed states where terrorists can operate freely? And which of these states, or portions thereof, contain persons who are receptive to the al-Qaeda ideology?

The 9/11 Commission has said that we must ask in Government who is the quarterback. In this case, it is the State Department, and we have with us today the State Department’s man on terrorism, the quarterback, Cofer Black. And I want to thank him also for coming to Los Angeles.

My colleagues would agree that no hearing would be complete without me talking about Iran. This Commission notes that the travel assistance that was provided deliberately by the Iranian government to the 9/11 terrorists knowing full well that they were al-Qaeda terrorists.

I would note that the safe haven that today is being provided to those al-Qaeda who fled Afghanistan and note that Iran continues to harbor fairly senior al-Qaeda operatives, including the man believed to have been responsible for the May, 2003, Riyadh bombings, as well as one of bin Laden’s sons.

And for its own independent work, independent of al-Qaeda, Iran has been awarded, if you will, by our State Department for several years as being the number one state sponsor of terrorism.

I do not need to tell you about Korean efforts to develop nuclear weapons. As I have said before, it is critical that we come up with a policy to deal with the dual threat from Iran, terrorism, and nuclear weapons. So I hope our witnesses will address that in their remarks.

Finally, I want to commend the Commission for something that others have criticized the Commission for, the supposed failure of the Commission to suggest changes to our foreign policy designed to placate al-Qaeda and make them hate us less. Even if the United States abandoned its position and friends in the Middle East, we are still going to be the number one al-Qaeda target because we exemplify, on a grand scale, a culture which competes—and often competes successfully—with the Taliban ideology. The U.S. cannot change in any way that would cause us not to be a tar-

get, we would only whet the appetite of the terrorists. If we gave bin Laden everything he says he wants, he will keep asking for more until we agree that Taliban policies should prevail worldwide. There is no way for a country with our role and with our profile to make itself inconspicuous. The U.S. needs to lead, not retreat, if we're going to defeat terrorism.

Mr. Chairman, thank you for the time.

[The prepared statement of Mr. Sherman follows:]

PREPARED STATEMENT OF THE HONORABLE BRAD SHERMAN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

I thank Chairman Gallegly for holding these hearings today. And I thank Commissioners Ben-Veniste and Gorton for coming here to Los Angeles, for their tireless work, and for the bi-partisan spirit in which their report was compiled.

Congressional leaders from both parties have called on us to use this next month to examine the Commission's recommendations; my party's leadership has called for swift action to enact the recommendations of the Commission. Among the areas in which the Commission has urged us to act, I believe four are relevant to our committee and our subcommittee: denying terrorist sanctuary; preventing proliferation; public diplomacy including broadcasting; and using the economic power of the United States to thwart terrorism and proliferation. These hearings focus on denying sanctuary to terrorists.

Perhaps the broadest conclusion of the Commission is that America suffered a failure of imagination. Until 9/11, al Qaeda had never killed more than twenty Americans on a single day, and so we were unwilling to imagine that they could kill thousands. Now that we have witnessed terrorists operating from sanctuary in Afghanistan, conspiring successfully to kill thousands of Americans, we may be unable and unwilling to imagine something even more horrendous—nuclear weapons killing hundreds of thousands of Americans. This subcommittee must not only work to prevent a replay of 9/11, but we must imagine beyond the scale of 9/11—we must focus on nuclear proliferation—particularly into North Korea and Iran, lest another Commission berate us for a failure of imagination.

This is an excellent report on the past, and a stunning call for action in the future. It is perhaps unfortunate that most public attention has been on the suggestions to reconfigure the organization chart of our intelligence agencies (found in chapter 13 of the Report). In this area the Commission's recommendations are valid, precise and clearly within our power to implement. But we should not delude ourselves into thinking that if we could only draw up and implement the perfect organization chart, all would be well.

While a reading of the press reports might indicate that the Commission's recommendations focus almost exclusively on governmental organization charts, a reading of the Report shows otherwise. Chapter 12 contains recommendations as to what policy goals we need to pursue, which I believe are more important than their suggested improvements of organizational structure for pursuing them.

These Chapter 12 recommendations are of necessity, more vague than those of Chapter 13. These are more a list of objectives than a clear blueprint. These hearings are perhaps the first to focus on the policy recommendations of Chapter 12. The specific recommendation before us today is Chapter 12.2: the U.S. needs to identify the places where terrorists are likely to find sanctuaries prioritize them, work to deny sanctuaries to terrorists, and shut sanctuaries down where they do exist.

Al Qaeda literally means "the base." What it offered to the ideologues of extremist Islamic hatred was literally a base to plan, to organize and to train in Afghanistan. Some ten, twenty or perhaps sixty thousand individuals going through boot camp style training and advanced terrorist workshops in the period of 1996 through the fall of the Taliban in November 2001. (Had we made a priority of monitoring al Qaeda, we would have a more definite estimate.) The existence of this base could hardly be concealed from our satellites and it was not even concealed from those who read American newspapers. Yet is impossible to find the press columnist, the Member of Congress, or the Administration official who said before 9/11 that it was critical to our national security to confront, and if necessary dislodge by force, al Qaeda from Afghanistan—even if that meant dislodging the Taliban.

The questions we must ask today are: which states lack the desire to confront terrorists operating on their soil? Which states have the desire, but not the resources? Which governments are losing control of some of their territory, and which countries

are becoming “failed states” where terrorists can operate freely nationwide? Which of these states or portions thereof contain persons receptive to the al Qaeda ideology?

And second, we need to ask who is going to take the lead in confronting states that willingly harbor terrorists and provide assistance to those countries willing to help us close down potential and actual sanctuaries. The 9/11 Commission has said that they always asked government officials, “Who is the quarterback?” In this case, it is the State Department. And we have here with us today, the Department’s man on terrorism, the quarterback, Cofer Black, whom I also want to thank for coming to Los Angeles.

My colleagues will agree that no hearing would be complete without me saying more about Iran. The Commission notes the travel assistance provided to several of the 9/11 terrorists by Iranian officials. I would note the safe haven provided to many al Qaeda fleeing Afghanistan after the routing of the Taliban. I would also note the fact that Iran continues to harbor fairly senior al Qaeda, including the man believed to have been behind the May 2003 Riyadh bombings, as well as one of Bin Laden’s sons. And for its own work independent of al Qaeda, Iran has been identified by our State Department as the #1 state sponsor of terrorism.

I do not need to tell you about the Iranian efforts to develop nuclear weapons. As I have said before, the biggest failure of American foreign policy of the past decade, save for the failure to deal with al Qaeda, is the failure of America to develop an effective policy towards the dual threat from Iran—terrorism and nuclear weapons. So I hope our witnesses will expound on how they feel we should deal with Iran.

Finally, I want to commend the Commission for something that others have criticized: the supposed failure to suggest changes to our foreign policy design to placate al Qaeda in the hopes they will hate us less. Even if the US abandoned its position and friends in the Middle East, we are still going to be their number one target, because we exemplify on a grand scale a culture which competes successfully with the Taliban ideology. The US cannot change in any way that would make us less of a target. We can only whet the terrorists’ appetite. If we gave Bin Laden everything he says he wants, he will keep asking for more—until we agree that Taliban policies should prevail everywhere. There is no way for a country with a role and a profile like the United States to make itself inconspicuous. The U.S. needs to lead, not retreat, to defeat terrorism.

Mr. GALLEGLY. I thank the gentleman.

I would now yield to Mr. Royce.

I would ask that anyone that has an opening statement try to make it as brief as possible. We have a limited amount of time. The real purpose here today, of course, is to hear from our witnesses. We have to clear the room at 12 o’clock. So I would yield at this time a maximum of 5 minutes to the gentleman from California, Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. And I appreciate this hearing.

And I would like to commend, of course, the Commission’s work because I think you have done a phenomenal job with documenting the growth of al-Qaeda and the threat that we face today in this Nation, but a threat that we are going to face for some considerable amount of time. And I know that this report is going to be a first step in helping Americans better understand these challenges.

This hearing today is focused on denying sanctuary to terrorists. You know, the United States is really no longer threatened as much by conquering states. It is failed states that are a threat to us, because this is where the terrorists hide and this is where they plot.

In 1996, I warned of the terrorists breaking ground in Afghanistan and how that could lead to another attack on the World Trade Center, and it was in this International Relations Committee that I did that. And I said at the time, Congress need look no further than the World Trade Center bombing in New York City to see the

adverse impact that this failed state in Afghanistan is having on United States national security. And I quoted that Sheik Omar Abdel Rahman, who recently was sentenced to life in prison for seditious conspiracy in connection with that first World Trade Center bombing, and how he spent his time in Afghanistan during the early 1980s in consultation with the same individuals that are currently trying to create a militant Islamic force around the world.

For Rahman and his colleagues, I said the goal is clear to replace secular governments with militant Islamic governments all over the Middle East and their choice would be terrorism. And I said that at home the potential is just for more World Trade Center-like bombings. And there is a constant terrorist presence threatening U.S. interests and the stability of our allies.

That was in 1996; the same certainly is true today. The vacuum left after the cold war allowed terrorism to incubate, not just there in Afghanistan, but also in Africa. I know, as you do, how the Taliban opened its door to Osama bin Laden and allowed him to develop something there with a lethal global reach.

Now the invasion the U.S. led in 2001 has created a better Afghanistan. But if we don't get that Afghan policy right, Afghanistan could return to chaos. We could have a third round of what we had as a result of not getting Afghan policy right.

I also mentioned I chair an African Subcommittee in which I have held hearings on the terror threat coming from that continent. And as I shared with you earlier, Senator Gorton, I just returned from Tanzania and from Congo and the ingredients for a terrorist sanctuary are present across that continent. There are vast remote areas. There are porous borders there like we have here. There are weak governments, poor security services. And as the Commission notes, bin Laden used Sudan as a base to build his organization in the early 1990s. For 6 years he was there in Sudan. They have a tremendous interest, again, in extending their organization across Africa.

We have the Pan Sahel Initiative that is producing results. And I just want to share with you briefly about an intelligence operation we just concluded there, and they took down 43 al-Qaeda operatives. We used intelligence and logistic support that we provided to Chad. And this is one more example of operations that are occurring in Mauritania, Mali, Niger, and Chad—areas where al-Qaeda is attempting to expand its operation.

Others are working hard on the other side to influence Africa's 380 million Muslims in the other direction away from modernity, away from any alliances that are important to the United States. And for the past 2 decades, I just have to tell you, from the Gulf States that supported a growing number of new madrassahs which are not like the old madrassahs. To quote African leaders who shared with me, there's a new madrassah across the street from my old one, it's got a very different curriculum, and they are teaching people to hate us. The youth are wearing Osama bin Laden t-shirts, and they have 100 times the budget.

We need to cut off this flow of funds that go from the Gulf States into these madrassahs because they are—in these cases—training the next generation of terrorists.

Indeed, Ahmed Khalfan Ghailani, who was captured last week in Pakistan, is a Tanzanian wanted for his role in the 1998 bombings of our Embassies in Tanzania and Kenya.

And lastly, the United States significantly trimmed its diplomatic presence and intelligence capabilities in Africa post-cold war. I think this has left the United States largely blind on the continent. We need more human intelligence, not just there but throughout the Middle East. I know Congress will debate the merits of reforms to our intelligence community, but if policymakers don't have solid, on-the-ground reporting coming to them, it won't matter what type of organization we have in place.

Again, I thank you gentlemen for being with us today.

Mr. GALLEGLY. The time of the gentleman has expired.

Mr. Berman, did you have a statement?

Mr. BERMAN. Well, Mr. Chairman, I have a few questions I would like to ask.

I just wanted to thank you and Mr. Sherman for calling this hearing and to particularly extend to the two Commissioners with us our appreciation for the tremendous public service they have performed in spending so much time since the Commission was created and giving us much to think about, and hopefully to act on.

Thank you.

Mr. GALLEGLY. I appreciate you yielding your time, Mr. Berman. We will, however, at the request of any Member, allow an opening statement to be made a part of the record of the hearing if you would prefer to do it as such.

Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

First and foremost, thank you to our witnesses for the hard work that they have put out to bring us information and for this report.

I will have to say my reading is a very mixed bag on this report. And I am very concerned that because we are in the middle of a political season that people in both parties are stampeding in the direction of trying to act precipitously on the recommendations of this Commission. I mean, the recommendations should be taken seriously. And when you take something seriously, you take the time to make sure you are looking at what is being advocated, and you examine it and what the long term effects will be.

So I do not believe that we should be acting on this in a manner that pushes something through the legislative process without the consideration that is due an issue of this magnitude.

With that said, I think I am fairly concerned that the report does not cover some areas that I consider to be vital to understanding 9/11. For example, the foreign policy of the last Administration—which Members of this Committee have heard me complain about for 10 years—dealing with the Taliban and what I consider to be—what I saw to be a covert support for the Taliban. And I will be asking about that as time goes on, about whether this Commission saw the evidence that I did and why they didn't see the evidence that I had seen.

The Commission took a pass on the Patriot Act, which maybe we need to discuss today. Here you have the most significant piece of legislation to pass through Congress dealing with the war-like situ-

ation we find ourselves in, yet the Commission did not address that specifically.

The Commission did address illegal immigration, which I found to be refreshing considering the fact that most people in Washington don't want to touch that issue with a 10-foot pole for various political reasons.

Also the Commission did make some suggestions concerning our oversight—how we conduct oversight in Congress of our intelligence agencies. And I thought that that was very helpful in terms of coupling the budget processes and the budget responsibilities for the oversight responsibilities. I, of course, would like to see that happen not just in dealing with intelligence but maybe we could have a competent oversight policy with all the things that we oversee and not just America's intelligence community.

But by and large, we need to be grateful to these men and women who spent considerable time working on some of these volatile issues. And I am going to try to raise some of the things that—you know, when you have volatile issues like that, you are going to have disagreement. And I am going to raise some of those areas of disagreement today, but I also know there are areas of agreement in the report.

And I thank you, Mr. Chairman, for this hearing today to let us get specifically on the issue of denying sanctuary to the terrorists and talking to these very important witnesses.

Mr. GALLEGLY. I thank the gentleman.

Mr. Schiff, do you have an opening statement?

Mr. SCHIFF. I do, Mr. Chairman. I will try to keep it very brief.

I want to begin by thanking the Commissioners for their extraordinary work over the last year and for the report, which I think is very well thought out and a very sound one. And I have to respectfully disagree with some of the comments of my colleague from California. I think it is really a superb work, and if I had my druthers, I would like to see it produced in Congress as the base bill subject to amendment after hearings—extensive hearings—on the bill. But I think that given the quality of the bipartisan work-product that has come out of the Commission, we would be wise to adopt that as a base bill and have a very strong presumption in favor of its recommendations, subject to evidence to the contrary.

So, again, I want to thank you for your hard work in this area. There are a great many aspects of it that I would love to talk to you about today, some within the scope of the hearing and the jurisdiction that has been set out, but in particular how we deal with the conundrum we've always wrestled with and, I think, wrestled with largely unsuccessfully, and that is: How do we aggressively promote democracy and liberty around the world? At the same time, we are heavily reliant on countries like Pakistan that do not have democratic forms of government. And I think that probably the most difficult example of that conundrum is Pakistan—a country that we are enormously reliant on in the war in terrorism that does not have a democratically-elected government. And how we chart a course that gives real meaning to our commitment to democracy around the world and, at the same time, that we send a message to Pakistan, Uzbekistan, Saudi Arabia, and others that as long as they are helping us move on terrorism, we will look the

other way in terms of how they treat their own citizens and their form of government. This is, I think, a real quintessential challenge to some of the recommendations you have made. And I will be very interested to hear your thoughts—in particular on Pakistan—but on other nations as well.

A lot of the public focus up until now has been on the organizational changes that you have proposed, in particular the establishment of the national intelligence director, the establishment of the national counterterrorism centers, both of which I think are very sound, and I do support giving the NID position the budgetary authority, the hiring/firing authority. I think very soundly you have cautioned against merely creating another layer of bureaucracy; of rearranging the deck chairs or making the problem worse. And I think in order to hold someone accountable they have to have the authority to get the job done as well. So I appreciate the recommendations you made.

You have spelled out some bitter pills for the Congress, as well, that I think we would be wise to undertake. And I know those fights will be among the most furious, but, again, I think your work has been outstanding.

And the last area that I would like to emphasize of your report is the section on nonproliferation. And in this respect, I think, unfortunately, a small coalition of the unwilling is sufficient to defeat a large coalition of the will. If we have countries that are willing to export their nuclear technology, expertise, or materiel, we need the broadest-based coalition to fight that. I think the Nonproliferation Treaty, which has served us reasonably well for half a century, is now showing its age and its flaws. You can simply travel too far down the path of developing nuclear energy, decide to opt out of the treaty, and develop a bomb. And I think this is very much what we are facing in the example of Iran. And I think we need a new and stronger international legal framework to deal with the proliferation problem. It is something you have also suggested in your report and, I think, one of the most important challenges that we face.

Lastly, I wanted to apologize for having to leave the hearing somewhat early today. And this is an experience many of my colleagues are having, too. A group of Marine Reservists and Guardsmen out of my District are being sent off to Iraq and the send-off is today. So, you will forgive me, I hope, for having to depart early to wish them a safe trip and a safe return.

I again thank you, Mr. Chairman and the Ranking Member, for holding the hearing. I want to compliment you again on your work.

Thank you.

Mr. GALLEGLY. Ms. Napolitano.

Ms. NAPOLITANO. Thank you, Mr. Chair.

I would like to associate myself with the remarks of my colleague, Mr. Schiff. I think in reading some of the excerpts of the report—I didn't read the whole report, I read the synopsis—I am very impressed with the work that was undertaken and the clarity and the forcefulness with which it was rendered.

There are many questions that I, too, have. I plan to submit them, Mr. Chair, if that is advisable to the Committee, that I

would not take the time to do here. I would rather hear from the panelists.

My concern is maybe in an area that is most important to us, and especially to the United States, and that is education of people in countries which make them targets for terrorism and the economic development of those countries so that they are able to then stand on their own, if you will.

I look forward to hearing your testimony and will be very happy to be of any service that I can, in my own way. I've lived in Pakistan and I've met with many of the people, and the poverty I see, and the situation of the people that we talk about, is not as felt in many areas. And I think we need to understand that we need to be part of their return to—not necessarily a democratic state because we cannot impose our way of governing on the world, but being able to help them understand how they can stand on their own and be democratic in their own way.

So I thank you very much, Mr. Chair, and the panel.

Mr. GALLEGLY. I thank the gentlelady.

At this time it is my pleasure to introduce our first panel. On our first panel for today's hearing, we are honored to have two members of the 9/11 Commission.

First I would like to introduce and welcome Senator Slade Gorton. In addition to being a member of the 9/11 Commission, Senator Gorton is counsel at the law firm of Preston, Gates, & Ellis. From 1982 to 2000, Mr. Gorton represented the State of Washington in the United States Senate where he served on the Appropriations; Budget; Commerce, Science and Transportation; and Energy and Natural Resources Committees. Senator Gorton served as Chairman of Appropriations' Interior Subcommittee and the Commerce Subcommittees on Consumer Affairs and Aviation. From 1996 to 2000, Mr. Gorton aided the Senate leadership by serving as counsel to the Majority Leader. Before joining the Senate, Mr. Gorton was the Washington State House Majority Leader and the Attorney General of Washington State. Senator Gorton has served on the Washington State Federal Justice Training Commission and the Washington State Law Justice Commission, the President's Consumer Advisory Council, most recently on the National Commission on Federal Election Reform.

I would also like to welcome Commissioner Richard Ben-Veniste. Mr. Ben-Veniste is a partner in the Washington law firm of Mayer, Brown, Rowe, & Maw. From 1968 to 1973, Mr. Ben-Veniste served as an Assistant U.S. Attorney for the Southern District of New York where he served as a chief of the special prosecution section. Mr. Ben-Veniste later served as the chief of the Watergate Task Force of the Watergate Special Prosecutor's Office and special outside counsel for the Senate Commission on Government Operations. From 1993 to 1995, Mr. Ben-Veniste served as the chief minority counsel of the Senate Watergate Committee. He is also a presidential appointee for the Nazi War Crimes and Japanese Imperial Government Records Interrogation Working Group. Mr. Ben-Veniste is a graduate of Muhlenberg College and holds law degrees from Columbia and Northwestern Universities.

I welcome both of you, and I would start with you, Senator Gorton, and ask that you limit your opening statement to 5 minutes.

**STATEMENT OF THE HONORABLE SLADE GORTON,
COMMISSIONER OF THE 9/11 COMMISSION**

Senator GORTON. We will share the single amount of time.

Mr. Chairman, distinguished Members of the Subcommittee, it's a privilege to appear before you today. Richard and I will address the Commission's findings on terrorist sanctuaries and our recommendations for dealing with them. These findings and recommendations, as is the case with the entire report, have been endorsed by all 10 Commissioners.

We share a unity of purpose in our support for the Commission's record. We hope that Congress and the Administration will find the same spirit of bipartisanship as we collectively seek to make our country and all Americans safer and more secure.

The specific subject you have asked us to address is the problem of terrorist sanctuaries. In the past, our worries about national security emanated from a concern that a hostile power would gain control of the great industrial flatlands of Europe and East Asia. We worried about Nazi Germany, Imperial Japan, and the Soviet Union. Today our national security concerns arise not from great centers of power but from the far periphery. We worry about some of the most remote and impoverished locations on the planet, places where terrorists can find sanctuary.

We studied this problem in our final report in some detail. Our examination of terrorist sanctuaries follows logically from what we believe must be a fundamental goal of the United States Government; to build the capacity to prevent a 9/11-scale plot from succeeding. Those capacities would also be effective, we believe, against lesser attacks.

In considering how to prevent attacks, we posed this question: What are the elements of a complex terrorist operation? We concluded that terrorist operations require:

- (1) Time and space to develop the ability to perform competent planning and to assemble the people, money, and resources needed for the terrorist act;
- (2) A relatively undisturbed area to recruit and train those who will carry out the operation;
- (3) A logistics network;
- (4) Access to materials needed to conduct a chemical, biological, radiological or nuclear attack;
- (5) Reliable communications; and
- (6) Conditions in which the plan can be rehearsed and tested.

It is easiest for terrorists to carry out these activities in states with rugged terrain, weak governments, and low-population density. In such places, terrorists can hide themselves as well as their supplies and infrastructure. Thus, these characteristics provide a recipe for a terrorist sanctuary or haven.

Our report makes clear that in the years before 9/11, Afghanistan offered all of these advantages to al-Qaeda. Our staff traveled to that country and saw firsthand the remote Kandahar region where Osama bin Laden ran his terrorist headquarters with the support of the Taliban who was, even then, in control of most of Afghanistan.

While such remote regions of the world hold deep appeal to terrorists, it is important to understand that they are by no means the only places where terrorist sanctuaries can develop. Before 9/11, al-Qaeda moved freely in Western Europe, particularly in Germany where a 9/11 cell flourished in Hamburg. The 9/11 conspirators also used the United States itself as a staging area, traveling in and out of the country in the months leading up to 9/11, all the while using their real names with, apparently, no worries about operational security. During the course of our investigation, we asked American and foreign government officials and military officers on the front lines fighting terrorists today, the following question: If you were a terrorist today, where would you locate your base? The same places came up again and again on their lists: Western Pakistan and the Pakistan/Afghanistan border; southern or western Afghanistan; the Arabian Peninsula, especially Saudi Arabia and Yemen; and the Horn of Africa, including Somalia and extending southwest into Kenya; Southeast Asia from Thailand to the southern Philippines to Indonesia; West Africa, including Niger and Mali; European cities with expatriate Muslim communities, especially cities in Central and Eastern Europe where security forces and border controls are less effective.

Later in our report, we also made clear that Iraq would go to the top of the list as a terrorist sanctuary if it were to become a failed state.

Our consensus view is that in the 21st century, the United States should focus on remote regions and failed states, and so we made the following black-letter recommendation: The U.S. Government must identify and prioritize actual or potential terrorist sanctuaries and develop a realistic strategy to keep possible terrorists insecure and on the run using all elements of national power. We should reach out, listen to, and work with other countries that can help us.

The areas that we have identified as current or potential sanctuaries encompass a great deal of territory. Inevitably, U.S. leaders must decide which current and potential sanctuaries pose the greatest threat and then make hard choices about where to concentrate resources. Given the strong al-Qaeda presence in Pakistan and Afghanistan, these countries are two obvious priorities for United States attention.

In addition to the level of al-Qaeda presence in our country, other factors for prioritization should include: The capabilities of the host government to fight terrorism. The radical Islamist presence is probably stronger in France than in Albania, but the French government is strong and capable already, and thus needs less assistance in combating that presence.

The potential for al-Qaeda penetration: Nigeria and Indonesia are obvious potential hotspots as are other countries with large, restive Muslim populations and political turmoil

STATEMENT OF RICHARD BEN-VENISTE, COMMISSIONER OF THE 9/11 COMMISSION

Mr. BEN-VENISTE. Mr. Chairman, thank you very much for inviting us and thank you, Members of this Subcommittee, for your

comments here this morning. Very perceptive in our view, if we may say so.

Let me talk about some clear priorities which have emerged from our investigation. Pakistan: Pakistan is a country plagued by poverty, illiteracy and corruption. The central government exerts little to no control over the Balujistan region and the remote areas that border Afghanistan. With a population of 150 million Muslims, Pakistan is viewed by Islamic extremists as a country ripe for exploitation. Karachi, a city of nearly 15 million, has 859 religious madrassahs teaching more than 200,000 children and creating a pool of Pakistanis vulnerable to extremist's message of hate.

Pakistan has nuclear weapons and decades of hostility with its neighbor, India. The Pakistani intelligence service has a history of supporting the Taliban. The government of Pakistan is fragile and has made limited progress toward democracy.

Following 9/11 however, Pakistan's leader, Musharraf, made a strategic decision to not stand in the way of the United States action in Afghanistan. Pakistan is also actively assisting the United States—having arrested more than 500 al-Qaeda and Taliban operatives. Following assassination attempts against him by Islamist extremists, Musharraf took even bolder action in late 2003 and early 2004 by ordering Pakistan troops to battle al-Qaeda and Taliban elements in Pakistan's border area.

Thus, we recommend that if Musharraf stands for enlightened moderation in a fight for his life and for the life of his country, the United States should be willing to make hard choices, too, and make the difficult long-term commitment to the future of Pakistan.

Sustaining the current scale of aid to Pakistan, the United States would support Pakistan's government in its struggle against extremists. This would include a comprehensive effort that extends from military aid to support for better education, so long as Pakistani leaders remain willing to make difficult choices of their own.

Afghanistan: Afghanistan was the incubator for al-Qaeda and the 9/11 attacks. The Taliban regime provided protection for bin Laden and his organization. Following 9/11, the United States-led international coalition drove the Taliban from power and killed and captured many of al-Qaeda leaders and deprived al-Qaeda of its Afghanistan safe haven. Currently the United States has more than 10,000 troops in Afghanistan. Despite this presence and that of coalition forces, the Taliban and al-Qaeda are attempting a resurgence. However, the regional warlords continue to challenge the government of Hamid Karzai.

We recommend that the United States make a long-term commitment to establishing a secure and stable Afghanistan in order to give the government a reasonable opportunity to improve the life of the Afghan people. Afghanistan must not again become a sanctuary for international crime and terror.

We are also recommending that NATO increase its role in Afghanistan. The United States and NATO allies are building an Afghanistan national army, and these efforts should be given strong support.

Finally, we recommend that the United States and the international community help the Afghan government extend its authority over the country.

I will skip to Saudi Arabia: Saudi Arabia presents a special case. Our report describes Saudi Arabia as a problematic ally. The Saudi government cooperated with the United States before 9/11. At our request, Saudi Arabia sent a high-level emissary to Afghanistan to pressure Mullah Omar to give up bin Laden. At the same time, however, al-Qaeda raised money from Saudi benefactors. Fifteen of the nineteen hijackers were Saudis. After the al-Qaeda attacks in Saudi Arabia on May 12th, 2003, the Saudi government appears to fully understand the danger posed by terrorists.

Many Americans see Saudi Arabia as an enemy, not as an embattled ally. Americans are appalled by the intolerance, anti-Semitism, and anti-American arguments taught in schools and preached in mosques. Many Saudis, on the other hand, now perceive the United States as an unfriendly nation.

The Commission believes that the United States and Saudi Arabia must confront the problems in their bilateral relationship. The United States and Saudi Arabia must determine if they can build a relationship that political leaders on both sides are prepared to publicly defend, a relationship about more than oil. This should include a shared interest in greater tolerance and cultural respect, a shared commitment to political and economic reform, and a shared commitment to fight the violent extremists.

In conclusion, Senator Gorton and I would like to offer some concluding thoughts. Active sponsors of terrorism must be coerced into giving up sponsorship, and if they will not, they should be dealt with severely. Yemen, Tajikistan, Indonesia, Kenya, the Philippines, and many other states are hostile to al-Qaeda, but are not able to control their own territories sufficiently to stop it. These countries, victim countries, should be bolstered wherever possible. In the short-term this involves aid to the security services and military. Over time it should involve state building, helping the country increase its ability to provide its citizens with educational and economic opportunity, and greater political participation.

Building counterterrorism capacity is important, but investing in capacity is wasted if will power is not there. The United States support to develop a Pakistani unit to capture bin Laden in Afghanistan before 9/11 was diverted into helping form a praetorian guard for Prime Minister Sharif. We must be attentive to prevent similar diversions from occurring today.

For Saudi Arabia today, the leadership is committed to its struggle against al-Qaeda. So is the government of President Karzai in Afghanistan. Regarding Pakistan, as noted earlier, we should make a long-term commitment to assisting the country so long as the Musharraf government continues to make its own hard choices in support of an enlightened moderation as well as advancing the fight of terrorism.

We will be pleased to respond to your questions.

[The prepared statement of Mr. Gorton and Mr. Ben-Veniste follows:]

PREPARED STATEMENT OF THE HONORABLE SLADE GORTON AND RICHARD BEN-
VENISTE, COMMISSIONERS OF THE 9/11 COMMISSION

TERRORIST SANCTUARIES

Chairman Gallegly, Ranking Member Sherman, distinguished members of the Subcommittee on International Terrorism, Nonproliferation and Human Rights, it is an honor to appear before you. We will address this morning the Commission's findings on terrorist sanctuaries and our recommendations for dealing with them. These findings and recommendations have been endorsed by all Commissioners.

We share a unity of purpose in our support for the Commission's report. We call upon Congress and the administration to display the same spirit of bipartisanship as we collectively seek to make our country and all Americans safer and more secure.

The specific matter you have asked us to address is the problem of terrorist sanctuaries. In the past, our worries about national security emanated from a concern that a hostile power would gain control over the great industrial heartlands of Europe and East Asia. We worried about Nazi Germany, Imperial Japan, and the Soviet Union. Today our national security concerns arise not from the great centers of power, but from the far periphery. We worry about some of the most remote and impoverished locations on the planet, places where terrorists can find sanctuary.

We examined this problem in our final report in some detail. Our examination of terrorist sanctuaries follows logically from what we believe must be a fundamental goal of the United States Government: To build the capacities to prevent a 9/11-scale plot from succeeding. Those capacities would also be effective, we believe, against lesser attacks.

In considering how to prevent attacks, we posed the question: What are the elements of a complex, terrorist operation? We concluded that terrorist operations require:

- Time and space to develop the ability to perform competent planning and to assemble the people, money, and resources needed for the terrorist act;
- A relatively undisturbed area to recruit and train those who will carry out the operation;
- A logistics network;
- Access to materials needed to conduct a chemical, biological, radiological, or nuclear attack;
- Reliable communications; and
- Conditions in which the plan can be rehearsed and tested.

It is easiest for terrorists to carry out these activities in states with rugged terrain, weak governments, and low population density. In such places, terrorists can hide themselves, as well as their supplies and infrastructure. Thus, these characteristics provide a recipe for a terrorist sanctuary or haven.

Our report makes clear that, in the years before 9/11, Afghanistan offered all of these advantages to al Qaeda. Our staff traveled to that country and saw first hand the remote Kandahar region, where Usama bin Ladin ran his terrorist headquarters with the support of the Taliban, the regime then in control of most of Afghanistan.

While such remote regions of the world hold deep appeal to terrorists, it is important to understand that they are by no means the only places where terrorist sanctuaries can develop.

Before 9/11, al Qaeda moved freely in the relatively lax security environment in Western Europe, particularly in Germany where a 9/11 cell flourished in Hamburg. The 9/11 conspirators also used the United States itself as a staging area, traveling in and out of the country in the months leading up to 9/11, all the while using their real names with apparently no worries about operational security.

During the course of our investigation, we asked American and foreign government officials and military officers on the front lines fighting terrorists today the following question: If you were a terrorist today, where would you locate your base? The same places came up again and again on their lists:

- Western Pakistan and the Pakistan-Afghanistan border
- Southern or western Afghanistan
- The Arabian Peninsula, especially Saudi Arabia and Yemen, and the Horn of Africa, including Somalia and extending southwest into Kenya
- Southeast Asia from Thailand to the southern Philippines to Indonesia
- West Africa, including Niger and Mali

- European cities with expatriate Muslim communities, especially cities in central and eastern Europe where security forces and border controls are less effective
- Later in our report, we also make clear that Iraq would go to the top of the list as a terrorist sanctuary if it were to become a failed state

Our consensus view is that in the twenty-first century the United States should focus on remote regions and failed states. And so we made the following recommendation:

The U.S. government must identify and prioritize actual or potential terrorist sanctuaries, and develop a realistic strategy to keep possible terrorists insecure and on the run, using all elements of national power. We should reach out, listen to, and work with other countries that can help.

Establishing Priorities

The areas that we have identified as current or potential sanctuaries encompass a great deal of territory. Inevitably U.S. leaders must decide which current and potential sanctuaries pose the greatest threat and then make hard choices about where to concentrate resources.

Given the strong al Qaeda presence in Pakistan and Afghanistan, these countries are two obvious priorities for U.S. attention. In addition to the level of al Qaeda presence in a country, other factors for prioritization should include:

- The *capabilities* of the host government in fighting terrorism. The radical Islamist presence is probably stronger in France than in Albania, but the French government is strong and capable already and thus needs less assistance in combating that presence.
- The *potential* for al Qaeda penetration. Nigeria and Indonesia are obvious potential hotspots, as are other countries with large, restive Muslim populations and political turmoil.

Some clear priorities emerged from our investigation.

Pakistan

Pakistan is a country plagued by poverty, illiteracy and corruption. The central government exerts little to no control over the Baluchistan region and the remote areas that border Afghanistan. With a population of 150 million Muslims, Pakistan is viewed by Islamic extremists as a country ripe for exploitation. Karachi, a city of nearly 15 million, has 859 religious madrassas teaching more than 200,000 youngsters, and creating a pool of Pakistanis vulnerable to extremists' messages of hate.

Pakistan has nuclear weapons and decades of hostility with its neighbor India. The Pakistani intelligence service had a history of supporting the Taliban. The Government of Pakistan is fragile and has made limited progress toward democracy.

Following 9/11, however, Pakistan's leader, Pervez Musharraf made a strategic decision to not stand in the way of U.S. action in Afghanistan. Pakistan also actively assisted the United States, arresting more than 500 al Qaeda and Taliban operatives. Following assassination attempts against him by Islamist extremists, Musharraf took even bolder action in late 2003 and early 2004, ordering Pakistan troops to battle al Qaeda and Taliban elements in Pakistan's border areas.

Thus, we recommend that if Musharraf stands for enlightened moderation in a fight for his life and for the life of his country, the United States should be willing to make hard choices too, and make the difficult long-term commitment to the future of Pakistan. Sustaining the current scale of aid to Pakistan, the United States should support Pakistan's government in its struggle against extremists. This should include a comprehensive effort that extends from military aid to support for better education, so long as Pakistani leaders remain willing to make difficult choices of their own.

Afghanistan

Afghanistan was the incubator for al Qaeda and the 9/11 attacks. The Taliban regime provided protection for Bin Ladin and his organization. Following 9/11, the U.S.-led international coalition drove the Taliban from power and killed or captured many al Qaeda leaders, and deprived al Qaeda of its Afghanistan safe haven.

Currently, the United States has more than 10,000 troops in Afghanistan. Despite this presence and that of coalition forces, the Taliban and al Qaeda are attempting a resurgence. Moreover, regional warlords continue to challenge the government of Hamid Karzai.

We recommend that the United States make a long-term commitment to establishing a secure and stable Afghanistan, in order to give the government a reason-

able opportunity to improve the life of the Afghan people. Afghanistan must not again become a sanctuary for international crime and terrorism.

We also recommend that NATO increase its role in Afghanistan. The U.S. and NATO allies are building an Afghan National Army and these efforts should be given strong support.

Finally, we recommend that the United States and the international community help the Afghan government extend its authority over the country.

Yemen

Yemen, too, fits exactly the description of a terrorist sanctuary. It has a weak central government, with vast stretches of wild, desolate territory that are unpoliced.

Yemen is a painful example of the need for a strong U.S. effort to help other countries improve their counterterrorism capacity. The Yemeni government must be able to identify and attack terrorists throughout the country, which in turn requires U.S. support for their intelligence gathering and processing efforts as well as their police and military units. In addition, the government must be able to persuade or coerce local tribal chiefs and sheikhs who may protect small groups of radicals.

Hand-in-hand with this effort should be a U.S. campaign to gain the goodwill of Yemenis and to build up Yemeni institutions. A stronger, more effective government will be able to induce local leaders to cooperate more effectively, thus gaining the government vital local allies. However, creating a stronger security service alone with no corresponding increase in good governance in Yemen will not dampen backing for terrorism in the long-term. It would only foster the impression that the United States champions tyranny over freedom.

Yemen is also home to several religious schools that promote a vision of the United States as hostile and opposed to Islam. Investing in schools would both demonstrate U.S. goodwill and strengthen more tolerant voices in Yemen. This is particularly important, as the terrorists often can recruit or operate freely at the local level because of widespread hostility to the United States. We are engaged in a generational struggle for the hearts and minds of the Muslim world. We want young people to choose the path of modernity and tolerance.

Saudi Arabia

Saudi Arabia presents a special case. Our report describes Saudi Arabia as a “problematic ally.” The Saudi government cooperated with the United States before 9/11. At our request Saudi Arabia sent a high-level emissary to Afghanistan to pressure Mullah Omar to give up Bin Ladin. At the same time, however, al Qaeda raised money from Saudi benefactors. Fifteen of the 19 hijackers were Saudis.

After the al Qaeda attacks in Saudi Arabia on May 12, 2003, the Saudi government appears to fully understand the danger posed by terrorism.

Many Americans see Saudi Arabia as an enemy, not as an embattled ally. Americans are appalled by the intolerance, anti-Semitism, and anti-American arguments taught in schools and preached in Mosques. Many Saudis, on the other hand, now perceive the United States as an unfriendly nation.

The Commission believes that the United States and Saudi Arabia must confront the problems in their bilateral relationship openly. The United States and Saudi Arabia must determine if they can build a relationship that political leaders on both sides are prepared to publicly defend—a relationship about more than oil. This should include a shared interest in greater tolerance and cultural respect, a shared commitment to political and economic reform, and a shared commitment to fight the violent extremists who foment hatred.

Conclusion

We would like to offer some concluding thoughts. Active sponsors of terrorism must be coerced into giving up sponsorship and, if they will not, should be dealt with severely.

Yemen, Tajikistan, Indonesia, Kenya, the Philippines, and many other states are hostile to al Qaeda but are not able to control their own territory sufficiently to stop them from acting. These countries—victim countries—should be bolstered whenever possible. In the short term, this involves aid to the security services and military. Over time, it should involve *state*-building (not nation building)—helping the country increase its ability to provide its citizens with educational and economic opportunity, and greater political participation.

Building counterterrorism capacity is important, but investment in capacity is wasted if willpower is not there. U.S. support to develop a Pakistani unit to capture Bin Ladin in Afghanistan before 9/11, of course, was diverted into helping form a praetorian guard for Prime Minister Sharif. We must be attentive to prevent similar diversions from occurring today.

For Saudi Arabia today, the leadership is committed to the struggle against al Qaeda. So is the government of President Karzai in Afghanistan. Regarding Pakistan, as noted earlier, we should make a long-term commitment to assisting the country, so long as the Musharraf government continues to make its own hard choices in support of enlightened moderation as well as advancing the fight against terrorism.

We would be pleased to respond to your questions.

Mr. GALLEGLY. Thank you very much for your testimony.

Senator, the recommendations on sanctuary states that the U.S. Government must identify and prioritize actual or potential terrorist sanctuaries. And in this regard, do you know of any region or nation that is a potential sanctuary that you do not believe is getting the appropriate attention?

Senator GORTON. Well, Mr. Chairman, you started out with a difficult question. There are potentially, you know—

Mr. GALLEGLY. I have another one that is probably going to be tougher.

Senator GORTON. We have outlined the immediate threats, basically the countries from which the al-Qaeda terrorism originated in Afghanistan and the lawless areas of Pakistan itself.

My own feeling is that we have long overlooked Somalia, you know, an area for all practical purposes without any government at all. We certainly, you know, ignored the threat with respect to Sudan. Sudan is in the news today for somewhat different reasons, but it clearly has a potential for terrorist training, as does much of northern Africa, you know, places in northern Africa on or close to the desert.

We have, I believe, supplied the Subcommittee with a fascinating map which was prepared by the CIA and which overlays these various concerns: Weak government, low population, terrain, and the like. It's a rather startling map because, for example, it shows the potential, say, of Colombia as a terrorist sanctuary. It bears, I think, very careful study.

Mr. GALLEGLY. Thank you, Senator.

Mr. Ben-Veniste, I may have a tougher question. You mentioned in your opening statement—you made reference to how unpopular the United States is in a lot of regions of the world. Common sense would dictate that it should not be that way because of the role that we played or at least what our intentions have been. How do you see us addressing that and changing that?

Mr. BEN-VENISTE. Well, we have a great advantage in that the core values of our country are values which should resonate throughout the world. But you are exactly right. Despite our years and years of support, for example, to Egypt, the level of support and positive reaction to the United States in Egypt is in single digits. It may be a single digit, and I will not show you which digit.

The incredible outpouring of goodwill and support which followed the 9/11 catastrophe has been dissipated. We need to communicate the goals, the aspirations, what this country stands for, the life-affirming positive constructive nature of what we stand for, which is in contra-distinction to the message of hate and death which is put forward by the militants, the Islamists, and the terrorists who hate us and who will not—no matter what we do—change their minds. But we need to win the hearts and minds, as it were, of the Muslim world by showing what we are really about. And that does not

necessarily entail a strict military approach. As has been said earlier this morning, the State Department needs to play a tremendous role in communicating throughout the Muslim world what we are about. And I think if we have the opportunity to describe ourselves rather than letting others describe who we are, that we will win that battle. It will not be easy.

Mr. GALLEGLY. Can either of you address the issue of South America? It appeared to be silent on the issue of a sanctuary—or a number of countries on the continent of South America. And, of course, we know that there is tremendous turmoil as we speak, in places like Venezuela, facing a recall election, and so on. Was there a reason, or is it just a matter of priorities why South America was not mentioned, Mr. Ben-Veniste, do you have an opinion?

Mr. BEN-VENISTE. Well, we do mention the tri-state region where we have identified terrorist activity and potential. Any area where there is lawlessness and the inability of a government to control its countryside is an area fertile for exploitation by terrorists. And Senator Gorton mentioned Colombia earlier. There is the potential for lash up between the narco-terrorists, for example, and Islamist terrorists.

We must be mindful that areas where a government cannot control its borders may well provide an area for terrorists who will take root and move to strike at us. So while we did not concentrate, of course, on each and every area of the world which has the potential for breeding terrorists and protecting them, we do mention South America in passing.

Senator GORTON. Mr. Chairman, I think the short answer to your question is that our charge was 9/11, and there was no connection between anything in South America and 9/11.

I did mention Colombia because, of course, there is terrorism there and there are terrorist sanctuaries there. And it's certainly directed in—you know, they are focused in a different direction.

It is certainly possible, however, just as we have seen some almost unnatural collaboration in various parts of the Middle East, the terrorists in areas like that could provide a sanctuary or money, you know, for support for anti-United States terrorism.

Mr. GALLEGLY. Thank you, both, very much.

And I yield to the Ranking Member, but I think it is important to note that the real focus of this hearing today is on sanctuaries, and South America does in my assessment present a real concern.

Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman.

I want to reiterate the importance, hopefully, of having hearings on Iran and North Korea's nuclear proliferation program, but today we are here to talk about terrorist sanctuary. As Ranking Member, I do need to very briefly respond to comments made critical of President Clinton's Administration with regard to Afghanistan. And let me just say, I cannot find any difference between Clinton's Afghan policy and the policy of President Bush until 9/11. And I am not aware of any statement issued by the Bush Administration through September 10th that indicates that they were announcing a change in policy. So I would hope that we could emulate your Commission with bipartisanship on this Subcommittee.

In focusing on terrorism, there is a tendency to fight the last battle. We were hit on 9/11 by an organization that had, as startling as it seems to say now, tens of thousands of people going through a base—boot camp-style training—and we deprived them of that in Afghanistan. The question is, does that matter, and is it critical that we prevent them from reestablishing something like that in, say, Somalia? Would they even want to? And would it be sufficient for us to simply bomb any terrorist camp? Because your Commission has put forward, at its most extreme interpretation, a view that the United States has no way to be safe other than to assure that every acre of territory on which a base camp could be built is in the hands of an anti-terrorist government that actually controls its territory.

I guess the question is, now that they've had their run in Afghanistan, now that they have trained operatives around the world, now that they show that they do not need an army of a thousand that have gone through a boot camp to hit us, they need only 19 sneaking into our country, is it critical that we prevent them from having a friendly acre or two that could be interrupted at least by bombing, or have they already done their boot camp training?

Senator GORTON. Mr. Sherman, one of our findings is that we have disrupted the al-Qaeda organization. We have killed or captured a number of its people, and it is much more decentralized, which is both good news and bad news. You know, it is good in that elaborate planning is probably much more difficult at the present time. In the sense it is bad news is that there are more organizations that are attempting to emulate what it did.

It is, of course, a counsel of perfection to say that there should never be an acre left in which anyone can engage in any kind of illicit activity, but at the very least we need to keep these people on the run and keep their groups relatively small.

I think the entire implication of the fact that we have a whole section on sanctuaries is implicit in the composition that a passive defense against terrorism, simply securing your aircraft and your borders and the like, can never succeed. You know, you could never be 100 percent certain, and so you have to go after them where they are.

And I wanted to say to—Mr. Chairman, I almost interrupted—I almost went back to being a Senator and interrupted your opening statement to say how, you know, precise and acute I felt your definition of the enemy was. I say that, perhaps, because I agree with it totally 100 percent and because I think it is one of the findings of our Commission.

You know, we are dealing with a fundamental religious political ideology that is impossible to deal with other than to go after them. Various foreign policy changes aren't going to change its goals, which are millennial, again, in nature. And the great challenge that we have is how to separate that ideological religious stream and eliminate it from the much larger stream in Islam—who do seek the same kind of goals in life that we Americans do—and encourage them to build strong, free, open and tolerant societies. That is a heck of a challenge. It is at the center of the charters that this Subcommittee has, but it is an extraordinarily difficult one.

Mr. SHERMAN. Let me invite anyone to interrupt me if they want to praise what I say.

And I have a question for Commissioner Ben-Veniste, although I guess, Senator, you lead right into it, and that is there is a tremendous amount of money and passion behind the evangelizing or spreading of Wahabi Islam. And the question is, is that brand of Islam inherently pro-terrorist or are their ulemas being financed by Saudi and other Gulf State terrorists who go, who might preach a particularly rigorous adherence to praying five times a day and doing it precisely at the right time with a level of vigor that I may have skipped in my own religion? Is Wahabi Islam merely rigorous and demanding or are the vast majority of its exponents also preaching an idealology hostile to the United States?

Mr. BEN-VENISTE. Mr. Sherman, I do not pretend to be an expert in this area. But what we have found is that the export of Wahabism from Saudi Arabia financed by Saudi Arabia seems to have been and is a continuing problem because of the intolerance that is preached by this group. Whether it is an active and virulent call to terrorism, I am not prepared to say. But we have identified the schools which have been financed by Saudi Arabia throughout the world—teaching this brand of Muslim religion—as a substantial problem.

Our Government has communicated our problems with that to the Saudi government. For a long time it would appear that the Saudi government had made a deal with the religious leaders so that they would control religious instruction and the ruling family controls the oil.

We need to do better in terms of persuading Saudi Arabia, which I think is more receptive than it was before the attacks on its own soil, to a common goal of a more inclusive form of teaching in their own schools, in these madrassahs that have flourished and are financed throughout the world.

Mr. SHERMAN. Senator?

Senator GORTON. Well, I join in the comments of my fellow Commissioner.

Mr. GALLEGLY. Mr. Royce.

Mr. ROYCE. Commissioner, as we look at the statement in the 9/11 report, you say the United States should help the Afghan government extend its authority over the country. One of the ways to do that would be with the provisional reconstruction teams. Now, let me share with you my concern about that, because I have been in Afghanistan. I have seen how our authorities on the ground lead these teams. They are very popular with the Afghans. They go out into the countryside, help them to rebuild, but develop a very close bond with these villagers. And yet there is only 10 teams I think operating in the entire country.

So Kabul is relatively secure, but outside of Kabul it gives the Taliban a chance to reemerge without more engagement from NATO. And I think we have one German team, one British team and one New Zealand team and our team. So that's pretty lackluster.

I thought I would just ask you both does NATO get it, do they understand that we are all in this together?

Senator GORTON. Well, Mr. Royce, as you know, there is a third challenge, too. And, you know, that is the challenge of the loyalists who are not Taliban but who control various parts of the country and are unwilling to submit to any control on the part of the national government.

This is a task that NATO has said that it is willing to take on, but it has not put its money where its mouth in.

Mr. ROYCE. Mr. Ben-Veniste?

Mr. BEN-VENISTE. Well international cooperation is essential. We have some 10,000 or so troops there ourselves. And you were exactly right in your assessment of the control of the country. It is basically that Karzai controls Kabul and the Taliban is reemerging throughout much of this country. So we do not have to look for it to look for sanctuaries, because the Taliban is reemerging.

And we know that bin Laden is operating. Now, he's operating in a different fashion from that which he used before, but he is still sending his messages out, essentially a combination of the Pony Express and hi-tech; sends them out by foot and they go out on the Internet.

Now in response to one of Mr. Sherman's questions, I would say that we need to be mindful of the potential for creating other areas where the al-Qaeda or other terrorist wanna-bes can replicate the training and operation that was present in Afghanistan before 9/11. But right here and now, if we are going to talk about the immediacy of the problem, that problem is still there in Afghanistan.

Mr. ROYCE. I think another question is, when you talk about your conclusion—help these governments extend their authority over the country—one of the things that I suggested back in 1996, Radio Free Afghanistan; and suggested we jam Radio Shari which was broadcasting all over Asia. Now, since we finally got that legislation up, this gives Karzai and other members of his cabinet a chance to be heard so that something besides this militancy can be heard on the radio—where 90 percent of people get their information in that society. I am going to ask you about extending that same concept.

We talked about how in other regions, in Africa for example, how can you bring people to support the government and understand more of what is really happening and understand more of what is happening in the world? Would you subscribe to the idea that these radio broadcasts, which are very low cost, could be an effective deterrence in terms of the message of al-Qaeda if, at the same time, we jammed and took out some of the stations used by militants to advocate—

Senator GORTON. Well, I suppose it depends on how far you want to go if you jam Al-Jazeera?

Mr. BERMAN. That is not a bad idea.

Mr. ROYCE. Well, I was looking at radio stations like Shari Radio, which had broadcast in Pakistan and Afghanistan, which we certainly should have taken out. Perhaps with Al-Jazeera, our attempts should be to get onto Al-Jazeera the other side of the story.

Senator GORTON. Yes, I think that would be an extremely worthy goal. But if you know the general thrust, Mr. Royce, of what you say is we need to get our message out, and we do. I think there is little question but that the message of President Karzai, you

know, which is forward-looking and calls for peacefulness and education and economic development, is a message that is going to resonate with most people against the Taliban, the message, if it actually gets out to people.

Mr. ROYCE. And we need to choke off the resources that go to allow al-Qaeda and groups linked to al-Qaeda. And I would assure you in my trips to Uzbekistan, Kurdistan, I get the same story I get in Africa, which is local parliamentarians and mayors tell me you have Gulf State money that comes into our community and it is used to set up a madrassah.

And I'll give a Kurdistan example: Thirteen young men go to school, they decide they want to leave because they are just reaching high. And so the madrassah, they are all decapitated. And the mayor says this is not a Kurd custom, it's a Gulf State custom that is being introduced here. Help us cut off the funds.

And we have frozen \$100 million of terrorist financing worldwide. The United States has taken away. One hundred and sixty countries have cooperated. But there is more that needs to be done in this area.

And we set up a special task force, an anti-terrorism task force, in the Congress. But can you give us some insights into additional steps that you think would be helpful, especially in cutting off Gulf State money that ends up setting up these madrassahs in Africa and in other unstable environments?

Mr. BEN-VENISTE. We do two things in our report. We assess the relationship with Saudi Arabia which has been in the forefront of financing this brand of the Muslim religion, Wahabism through the madrassahs and through the financing of those madrassahs. And this is essentially a diplomatic effort to get the Saudis to change what they have been doing for many years.

The second thing is that we make recommendations with respect to establishing, again, a multinational cooperative effort to provide education funds to compete, to provide education, to empower 50 percent of the population of these countries in which women are not educated and are denied the basic fundamental human right of education. And so we look at it from those two standpoints.

Senator GORTON. I think, Mr. Royce, one of the great frustrations in our Commission dealing with this is that we published fast and there is no index. It is hard to get to this instantaneously.

We have found that tracing money that's foreign money—really it is the most difficult of all of the challenges that we face.

I would like to follow with one comment that Mr. Ben-Veniste had made, however, that I think is consistent with things that Mr. Sherman has said.

One of the great difficulties, the huge difficulties we face with the resentment and with a civilization that feels it is falling further and further behind, is the status of women. You know, how can a society ever hope to catch up with ours that denies 50 percent of the people who live in it a right to an education or a right to a career, or a right to live up to the maximum of their potential? It is a vitally important goal, but in all probability it is a goal that can only be reached when a decision has been reached and has been made inside those societies themselves that cannot be enforced by us.

Mr. GALLEGLY. Ms. Napolitano. If we are going to be able to get through, we are going to have to probably limit the questions to Members of the Subcommittee.

Ms. NAPOLITANO. Right. Really, I will be very brief, Mr. Chairman. In listening to some of the questions and some of your answers, I am very much in agreement with some of the statements.

My concern again—I'll go back and talk about education and economic development. You also talked about empowerment of women, and it can only be done with support and the thrust of those countries that want to do that.

One of the questions that I had is one of your statements, Mr. Ben-Veniste, was that we need to win the hearts and minds and show what America is about. Why has, after 9/11, that hatred of the United States become so prevalent, not only in the country we're currently—have as enemies, but those countries that are beginning, that used to be allies or used to think the United States was their friend. Is it because we put money there and they hate us because we give money, maybe don't give them more? I'm being very simplistic. But I'm looking at why is it that there has been such hatred evolving after 9/11 for the U.S.?

Mr. BEN-VENISTE. Well, it's obviously a very difficult question, and I'm sure there are many different answers. I think that there is a fundamental problem that we are defined now by our military responses, and the populations in these countries do not have the opportunity to see who we are beyond that. There are many skillful ways to exploit not only our foreign policy choices, but our military choices. And we don't get the opportunity to show ourselves for what we really stand for in our core American values, and I think that's part of the problem, and that's something which we need to address through better education, through better efforts at defining ourselves and through helping in ways. One of the things that we talked about earlier, informally, was the tremendous opportunity we have—particularly in Sub-Saharan Africa—in the area of health. Our ability to prevent failed states from occurring in Sub-Saharan Africa by reason of the AIDS pandemic is a substantial area where we can make a contribution and show the positive effects of our society, our technology, our medicine.

The Gates Foundation is doing a tremendous job there. Our Government needs to step up its efforts to prevent failed states simply by reason of the populations being decimated or worse as a result of the scourge of AIDS. These are areas—health, education, and economic development—where we can promote a message of hope rather than one of despair and hatred.

Ms. NAPOLITANO. I've also traveled into Pakistan, Afghanistan, and I've met with some of their leadership, but when you travel the countryside, the poverty is so prevalent that it makes you wonder if the United States is pouring money into those countries to help. Where is the money going to? Are we not in tune with their business and economic development to be more aware of how we need to look at their needs, not just solely on a policy level?

Mr. BEN-VENISTE. This is a question which provides a fat pitch because I'm going to hit it right back to you in the Congress. I think you have a responsibility in your oversight capacity to ask those questions of the Administration, of the Executive Branch,

and to understand how our funds are being utilized and whether we can do a better job with them.

We talk about some fairly modest increases, but how our money is spent now is a very legitimate question which the American people really look to Congress for in terms of our system of checks and balances. So your oversight on those very issues is extremely important.

Senator GORTON. But remember our limitations. We, as Americans, think that we can accomplish almost anything. The degree of antipathy toward our views, and toward what we do, doesn't seem to be related in that world, specifically, to how wealthy our country is. It's as great in the relatively more well-off ones—Iran, Saudi Arabia—as it is in the extremely poor ones.

There's a certain human psychology in this. Several of the Muslim civilizations with which we're dealing had 1,000 years of almost unlimited success. It's had 300 years of absolutely unrelieved decline vis-a-vis since the late 1600s.

And people resent that. Everyone does. Part of it is just simply an irrational resentment of a group that is more successful than we are, so we can help—there's no question but that we can help—but the cure has got to come from within.

Ms. NAPOLITANO. Thank you. Education funds and touching upon trying to help women become proficient or at least able to become entrepreneurs in the countries, what

is—besides the internal issue, what other issues are there to be able to get U.S. business to work with them in order to be able to improve their status of the families?

Mr. BEN-VENISTE. The principle problem is a cultural one and one in which the status quo is enjoyed by the religious leaders and, frankly, the male domination in those countries. And the opportunity to transmit ideas is one which we have through technology and other means. It's taken hold in certain of the countries, in Afghanistan, for example, where once there is a glimmer of what is possible, the spark of freedom and education and knowledge can be fanned into flame, but it's going to take time, and it's going to take the will of this country to try to communicate that message.

Ms. NAPOLITANO. Thank you, Mr. Chair.

Mr. ROHRBACHER. Thank you very much. Just a couple thoughts. There's a lot of people who have the idea that all Muslims are the enemy, and we have to combat that. We have to determine who our allies are. If we try to—have too much of stereotypes of things in the past, we're going to be cutting ourselves off from our greatest source of success in this current challenge.

There's a lot of layers to that particular proposition, but one layer deals with Afghanistan itself, and let me note, Senator Gorton, I should say, the warlords were the ones who drove out the Taliban, and I find it all—I hear a lot of people talking about Afghanistan, and they're always talking about the threat of the warlords. The warlords were on our side, and Mr. Ben-Veniste is correct that there's a resurgence of the Taliban going on—which I don't think it's as bad as you portrayed it.

The last thing we need to do is focus on the warlords and disarming the warlords and what the warlords are, and having spent a lot of considerable time in Afghanistan, they're regional leaders

who base their power on ethnic representation which were—because of the nature of things have had to arm themselves because they were in danger, and that's just a note. And in terms of the drugs that are being produced there, let us note that it's not the warlords producing the drugs, but it's all in the Pushtoon areas which were the strongholds of the Taliban, I might add. So that discussion can go on forever, but that's just a note for the record.

I would like to ask questions about part of the Commission report that I touched on in my opening statement and we haven't discussed yet. Fifteen of the nineteen hijackers that flew these planes into these buildings were Saudis.

Senator GORTON. Correct.

Mr. ROHRABACHER. How many of the 19 were in this country legally?

Senator GORTON. Every one of the 19 came to this country with a passport and with a visa. None of them snuck over the Mexican or Canadian borders.

So at that level they all came in in that fashion. We did find out, however, that they had passports that had been altered, in some cases. They had visas that had indications of extremism on them, that if there had been a heavy concentration on them, that might very well have prevented their being here. There were some who got in here but overstayed, were here illegally by the time of 9/11 because they had overstayed their leave. If you combine all three of those, a great majority of them did not belong here.

But our policy with respect to visas was overwhelmingly aimed at economic immigrants. The State Department, our consular people, were judging an individual who wanted to come to the United States on the basis of whether or not the individual was going to stay and stay here legally. By and large, Saudis didn't do that, and so it was very easy for a Saudi to get a visa to the United States from Saudi Arabia. The ones who were prevented from coming here were—you know, one of the principal plotters in this—were ones who tried to get their visas in some other country, generally speaking, in Germany.

Mr. ROHRABACHER. And Pakistan.

Mr. BEN-VENISTE. To follow up on that—

Mr. ROHRABACHER. Before you do that let me just note the majority of illegal immigrants in our country today, I believe, have come here legally and overstayed their visas. The Mexican border is—and even the Canadian border is—a problem, but the fact that we have so many people pouring into our country and just not going home, that's a major source of illegal immigration. And I think that you'll find almost all of the people of the 19, as you say, when you take into the three points that you've outlined for us, almost all of them are here illegally.

Senator GORTON. The leaders, yes, that's true, almost all of them were in one way or another.

Mr. BEN-VENISTE. What I was going to point out is that in early August 2001, a man by the name of Mohammed Al Katani, with a valid Saudi visa, attempted to enter the United States through the airport in Orlando, Florida. A Customs Officer by the name of Perez questioned him. He had a one-way ticket. He didn't speak English. His story of why he was here didn't seem to add up. He

was supposed to meet somebody but couldn't remember the name. This individual, Mr. Perez, singled him out, questioned him further, and then made a decision to deny entry to the United States to this individual. It turned out, as we know later, that Mohammed Atta, the ringleader of the 9/11 terrorists, was upstairs in the airport waiting for him. He was to be the 20th hijacker.

Now if you look at Flight 93, which had only four hijackers instead of the five complement on the other three planes, you see that that is the plane in which the courageous acts of the passengers of 93 rushed the cabin, rushed the hijackers to take back the plane and deny them the opportunity to complete their mission. Their mission was the United States Capitol. I don't know if you were there on September 11th, but many of your colleagues were, and it is entirely possible, starting from the actions of one individual who bucked what the protocol was—which was to allow Saudis free access to a point of destination in the United States, Orlando, with all the attractions there—but had he not been alert, had he not taken the extra measure of care, had he not shown imagination and courage in doing his job, it's possible that the Capitol could have been destroyed.

Mr. ROHRABACHER. I would have hoped that Mr. Perez got a raise in pay and something, a pat on the back at least.

Mr. BEN-VENISTE. What he actually got was a turn-down on a recent request for promotion.

Mr. ROHRABACHER. What they say, we have noticed quite often, is the fastest drying liquid known to man are tears of gratitude.

Mr. BEN-VENISTE. Mr. Chairman, if you'll indulge me just one follow-up on this.

Mr. GALLEGLY. All good deeds.

Ms. NAPOLITANO. Time is up.

Mr. ROHRABACHER. First of all, let me note that your report stated that—made some specific suggestions about U.S. border security including screening points at transportation centers which would have picked up this situation and also setting standards for birth certificates and other sources of identification including driver's licenses.

I'd like to ask both of you whether or not you would agree with our Governors' committee in this stake, Governor Schwarzenegger's commitment, not to issue driver's licenses to illegal immigrants and how would that fit into this whole security plan?

Senator GORTON. Mr. Rohrabacher, you're getting us beyond our assignments here. We have more or less pledged to keep to the four corners of our report and recommendations.

Mr. GALLEGLY. I appreciate the witness's response. I think Mr. Rohrabacher knows how strongly I, as a Member, feel about this issue, but it really isn't germane to the text of this hearing today, but I can assure you, there will be opportunities in the future—and will be—to address that.

We are running very close. We have Mr. Black, Ambassador Black. I did make a commitment to Congressman Berman, if you have a question that you'd like to—and also to Jeff Flake.

Mr. FLAKE. No questions.

Mr. GALLEGLY. If you could please make your questions very short, I would be most grateful.

Mr. BERMAN. Yes, I'd like to pare it down to one question in consideration for what you have. I am stupefied by the breadth of your report and the range of things you had to get to in addition to telling us the story of what happened. It's just stupefying.

In your recommendation for a national intelligence director, you make many compelling reasons, and it's in the context of all the intelligence failures of 9/11. There's one gnawing kind of counterpoint to that which perhaps you have addressed in the full report, but I haven't seen it, and that is—because we're now looking in the wake of another major intelligence failure—the extent to which pressures on analysts looking at information to shape ambiguous questions in the direction that they think would support the policy of the Administration, to what extent the creation of a national intelligence director in the White House, confirmed by the Senate, makes that a larger problem, and if so, what is done—

Senator GORTON. You had a head of the CIA who was reporting to the White House every day. And who in effect was—

Mr. BERMAN. Most recent one was.

Senator GORTON. The most recent one was. So I guess my answer to that question is, I'm not sure that it affects it at all, but if you have a national—and remember, we have two positions we create. One is the more narrow one that just deals with counterterrorism that's a presidential appointee and gathers all that information. The national intelligence director is intelligence on a much broader level than that.

What we found so frustrating was that information never got to the top under the present system and, even more important, was never shared among these 15 intelligence agencies, never shared at all.

Mr. BERMAN. Those are compelling cases.

Senator GORTON. And so our goal is that it gets shared and that it gets to the top. We'd like—we found this failure in imagination. We don't have a magic way to—by statute create imagination, but what we do want is a way for that imagination to get up to someone who can make such a decision. Can a system be misused? Of course, it can be misused, but we want to create a system that, when it is used right, gets the information to the people who make decisions.

Mr. BEN-VENISTE. You raise a very legitimate concern. Our response is that this is not an issue that would be changed for the worse by our recommendation, but rather the combination of our recommendations together should protect against that. Let's be fair in analyzing 9/11's failures, as Slade has said, they were numerous. There were failures to share information that were endemic and were preventable, but they occurred.

There was also a group think. The intelligence community, led by CIA, was looking for an attack overseas. There were, true, a couple of prescient analysts at the CIA who pointed the President, in early August, to the potential for the attack—which everyone expected to be coming—would come in the United States, but by and large, there was a level of group think about where this attack would come.

Now our recommendation is directly related and flows from a very intensive review of the facts leading up to the failures that al-

lowed 9/11 to occur, why we couldn't prevent this catastrophe. And so, if we provide an intelligence director who is not partial to just one agency, but who looks at all 15 agencies, receives that information, digests it, and advises the President. The various component agencies still have their Cabinet officers available to advise the President, but it is up to the President, in my view, to ask of a new intelligence director for competing views if there are any. And it is an interactive relationship that should provide the opportunity to the President and the other policy makers and decisionmakers in the Government with a range of views which would, I hope, obviate group think. There is one other additional and essential part of our recommendations which, I continue to emphasize, are inter-related and inter-dependent and that is a more efficient, more effective, streamlined oversight by the Congress of this individual who would be confirmed by the Senate and who would be subject to oversight, and, therefore, the Congress has a role, a very critical role as we have seen, in ensuring that this office will work efficiently and appropriately in providing a legitimate menu to the President of the United States.

Mr. GALLEGLY. Mr. Flake, you have one brief question for us?

Mr. FLAKE. I just want to thank the Chairman for allowing me to be here. I'm not a Member of the Subcommittee, but obviously a Member of the Committee and very interested in the subject. It's been very enlightening. Thank you.

Mr. BEN-VENISTE. Can I add to Mr. Berman's remarks, something that we've been talking about over the last few days, and we really want to emphasize that. The national intelligence director must have the authority to control those 15 agencies. He or she will not have that authority unless budget authority is there. If our recommendations are not received in that way, then there is the potential for the creation of an additional level of bureaucracy which will be ineffective and which will be counterproductive.

Mr. GALLEGLY. Thank you very much. We appreciate your testimony. We look forward to continuing to work with you in the weeks and months to come.

With that, we will dismiss the first panel and ask Ambassador Black to join us. Thank you very much.

Now I would like to introduce our second panel and welcome Ambassador J. Cofer Black. Ambassador Black serves as Ambassador-at-Large and Coordinator for Counterterrorism at the State Department. The Department of State is the lead Federal agency dealing with international terrorism. On behalf of the Secretary, Ambassador Black represents the Department of Counterterrorism Security Group. His office plays a leading role on the Department of State's Counterterrorism Task Force organized to coordinate responses to international terrorist incidents. Ambassador Black's responsibilities include coordinating U.S. Government efforts to improve counterterrorism, cooperation with foreign governments, including the policy and planning of the Department's anti-terrorism training assistance program. Prior to his State Department appointment, Ambassador Black served for 28 years in the Director of Operations at the CIA including as Director of the CIA Counterterrorists Center.

I welcome you, Ambassador Black. It's always good to have you.

STATEMENT OF THE HONORABLE J. COFER BLACK, AMBASSADOR-AT-LARGE, COORDINATOR FOR COUNTERTERRORISM, U.S. DEPARTMENT OF STATE

Mr. BLACK. Thank you very much, Mr. Chairman, Mr. Sherman, distinguished Members of the Subcommittee. Thank you very much for the opportunity to testify here before you on the issues of denying sanctuaries to terrorists as outlined in Chapter 12 of *The 9/11 Commission Report*.

The 9/11 Commission identified six regions of concern as current or future terrorist safe havens. I'll briefly outline our actions to deny terrorists refuge, time and opportunity to plan further attacks against the targets they seek to destroy.

Pakistan continues to be one of the United States's key partners in the global war of terrorism. To date, hundreds of al-Qaeda Taliban remnants have been successfully apprehended with the cooperation of Pakistani authorities. Among some of the great successes in the global war on terrorism has been the apprehension of Khalid Shiek Mohammed, the mastermind of the 9/11 attacks and Walid Bin Attash, a prime suspect in the attack on the *U.S.S. Cole* in October 2002.

Since the fall of 2003, the government of Pakistan has stepped up its counterterrorism activities, most notably in the mountainous, Federally Administered Tribal Areas. As of March 2004, over 70 individuals have been arrested. In parallel with military action, Pakistan has enhanced its legal, political, and public relations efforts against al-Qaeda and the Taliban.

United States-Pakistan joint counterterrorism cooperation now include long-term capacity-building efforts in border security, criminal investigations, and counterterrorism finance. The removal of the Taliban regime from Afghanistan stripped al-Qaeda of primary sanctuary and support and shut down long-standing terrorist training camps. Although our work in Afghanistan continues to root out remnants of al-Qaeda, that organization has lost a vital safe haven. Our on-going operations against al-Qaeda have served to isolate the leadership and to sever communications links with operatives scattered around the globe.

Unable to find easy sanctuary in Afghanistan and elsewhere, the al-Qaeda leadership must now devote much more time to evading capture or worse. The U.S. Government is working closely with Japan and the United Nations Assistance Mission to Afghanistan, which jointly leads the nationwide disarmament, demobilization, and reintegration of militias in Afghanistan. The United States Government continues to support security sector reform in Afghanistan by training and equipping the Afghan National Army.

USAID, in coordination with the Afghan government, is supporting the development of Afghan national institutions at the national, provincial, and local levels. Reconstruction efforts, such as road building projects, schools, clinics, hospitals, government ministries, and local courthouses pay an additional benefit as we seek to eliminate the terrorist sanctuary in Afghanistan and the Arabian Peninsula.

The United States Government is working closely with the Saudis on the Arabian Peninsula to ensure that the area cannot be used as a safe haven for terrorist activities. And in particular,

we're engaged with the governments of Yemen and Saudi Arabia to enhance their counterterrorism capacities, support their efforts to combat terror. This includes support for border security, law enforcement training, extensive intelligence support, training and advice to combat terrorist financing and, in the case of Yemen, economic development and support. The Yemen government is cooperating with us to enhance their border security and export control measures.

In 2003, improvements in Yemen's internal security situation enabled USAID to reestablish a mission in Sanaa. Our development assistance in Yemen targets health, education, and agriculture in underdeveloped areas in an effort to strengthen and extend the central government's authority in remote tribal areas.

Since the May 2003 attacks in Riyadh, the Saudi government has arrested more than 600 terrorist suspects and has conducted more than 60 raids throughout the country yielding tons of explosives and large caches of arms and ammunition. At least 12 of the most wanted individuals have been killed and two captured over the last year. We've had solid cooperation through our Joint Task Force on Terror Finance. The Saudis have already instituted a variety of new laws and regulations that have the potential to fundamentally alter their banking and charity systems.

Horn of Africa: To counter the threat posed by al-Qaeda in the Horn of Africa, the Department is cooperating with host governments to suppress activities of terrorists in the region, to arrest and bring to justice those who have attacked us, and to diminish the conditions in those societies which provide terrorist sympathizers with refuge and support. Much of this latter cooperation takes place in the context of the East Africa counterterrorism initiative.

We're working with the Kenyan government to improve its capabilities in the areas of counterterrorism, border control, law enforcement, criminal investigation, airport and seaport security. In Ethiopia and Djibouti, we have formed close partnerships to counter the threat of terrorism coming from Somalia, and we believe our successes have degraded the terrorist capability, but the threat has not yet been fully countered. We continue to act against terrorist networks at every opportunity.

Southeast Asia is a major front in the global war on terrorism and continues to be an attractive theater of operations for regional terrorist groups such as Jemaah Islamiyah. The governments of Southeast Asia have been reliable partners in the war on terrorism, but they face tremendous challenges to deal with the terrorist threat. Indonesia, for example, has arrested over 110 suspected terrorists, convicted some 30 terrorists since November, excuse me, since the October, 2002, attacks, yet it's a vast archipelago—effective border control is extremely difficult.

We have seen successes with the Philippine National Police. They've thwarted plots in Manila and arrested suspected members of JI and the Abu Sayyaf group and in Indonesia, we've implemented an \$8 million program to train and equip.

Because terrorism in Southeast Asia is a regional problem, we also work in a regional context to provide counterterrorism assistance. We're providing counterterrorism training to law enforcement

officers throughout the region. We're working with capable partners to maximize the amount of assistance we can provide to the G-8 counterterrorism action group process, our Embassies coordinate the counterterrorism assistance programs with other Embassies in each capital. By working with the governments in Southeast Asia and other regional partners, we're making consistent progress toward increasing Southeast Asian governments' capabilities to fight terrorism and prevent the region from becoming a terrorist sanctuary.

West Africa: The primary threat is from a radical Islamic group, the Salafist Group Call for Combat, which has been attempting to overthrow the government in Algeria and impose an Islamist regime. Through the Pan-Sahel Initiative, we sought to train and equip nations of the area to improve their border security, deny their use of sovereign territory to terrorists. Our partners, Mali, Mauritania, Niger and Chad have shown their seriousness by attacking, pursuing and degrading GSPC capabilities in the last 9 months.

Central and Eastern Europe: Although no European or Eurasian country provides sanctuary to terrorist groups, large immigrant communities in some of the cities of Western Europe are potential sources of support for extremists. Terrorist activity in the presence of a terrorist support network in Europe is a source of concern.

In the countries of Central and Eastern Europe, where immigrant communities are smaller, the ability to monitor and control possibly suspect activities and travel is often less than more-developed West European states.

To address these potential weaknesses, we continue to work closely with European partners to strengthen anti-terrorism legislation, to help less capable states to improve their abilities to restrict terrorist's freedom of action, block assets, and address social pathologies that contribute to terrorism's spread.

The contributions of European countries in sharing intelligence, arresting members of terrorist cells, and interdicting terrorist plans of action and logistics have been vital elements in the war on terrorism.

As the 9/11 Commission's report titled "What to Do, a Global Strategy" implies, fighting terrorism requires a global strategy and a global response. In addition to working bilaterally with partners, the United States has aggressively mobilized the United Nations and other international organizations to take the fight against terrorism to every corner of the globe.

In many problem sanctuaries, lack of counterterrorism capacity is the primary impediment to rooting out the terrorists. We work with others in the G-8 Counterterrorism Action Group to coordinate and increase counterterrorism support activities and to prioritize targeted assistance for high-risk countries. Counterterrorism assistance provided to these countries ranges from basic law enforcement capacity building to legislative assistance to border security.

Today's hearing contributes to the essential national debate on how we might improve sustained, steadfast, and systematic application of all elements of national power—diplomatic, financial, law enforcement, intelligence, and military—in the on-going task of de-

fending against future acts of terrorism. I thank you for this opportunity to speak to you.

In closing, I'd like to assure the Subcommittee Members and the public that multiple efforts are already underway to actively deny terrorists safe haven in the regions outlined in *The 9/11 Commission Report*. With the support of Congress, many programs mentioned today are actively engaged in this crucial recommendation, and I'm confident that today's hearing will provide additional stimulus to enhance and expand our capacities.

Thank you very much, Mr. Chairman, for allowing me to get through my introductory remarks. Thank you.

[The prepared statement of Mr. Black follows:]

PREPARED STATEMENT OF THE HONORABLE J. COFER BLACK, AMBASSADOR-AT-LARGE,
COORDINATOR FOR COUNTERTERRORISM, U.S. DEPARTMENT OF STATE

Mr. Chairman, Distinguished Members of the Subcommittee, thank you for the opportunity to testify today on the recommendations of the 9–11 Commission on denying sanctuary to terrorists, as outlined in Chapter 12 of the 9–11 Commission's report, entitled "What to Do? A Global Strategy."

Following the September 11 attacks, the Administration developed the National Strategy for Combating Terrorism, which creates the policy framework for coordinated actions to prevent terrorist attacks against the United States, its citizens, its interests, and its friends around the world. This National Strategy will ultimately create an international environment inhospitable to terrorists and all those who support them. We have implemented this strategy to act simultaneously on four fronts:

- *Defeat* terrorist organizations of global reach by attacking their sanctuaries, leadership, finances, and command, control and communications;
- *Deny* further sponsorship, support, and sanctuary to terrorists by cooperating with other states to take action against these international threats;
- *Diminish* the underlying conditions that terrorists seek to exploit by enlisting the international community to focus its efforts and resources on the areas most at risk; and
- *Defend* the United States, its citizens, and interests at home and abroad.

Today's hearing contributes to the essential national debate on how we might improve the sustained, steadfast, and systematic application of all key elements of national power—diplomatic, financial, law enforcement, intelligence, and military—in the ongoing task of defending against future acts of terrorism. I welcome the opportunity to speak to one of the specific fronts mentioned earlier, the denial of terrorist safehaven around the world.

The 9–11 Commission identified six regions of concern as current or future terrorist safehavens. I will briefly address our actions in these and other regions to deny terrorists refuge, time, and opportunity to plan further attacks against the targets they seek to destroy.

PAKISTAN

Pakistan continues to be one of the United States' most important partners in the Global War on Terrorism. Following the September 11 attacks, the Musharraf government responded positively to the Administration's clear warning that nations were "either with us or against us" in the War on Terror, and actively worked to apprehend al Qaida and Taliban operatives. To date, hundreds of al-Qaida or Taliban remnants have been successfully apprehended with the cooperation of Pakistani authorities.

Among some of the great successes in the GWOT was the apprehension of Khalid Shaykh Muhammad, the mastermind of the 9/11 attacks, and Walid Bin Attash, a prime suspect in the attack on the USS Cole in October 2002. Just last week, Ahmed Khalfan Ghailani along with several family members and confederates was apprehended by Pakistani forces. Captured with him were significant documents and computer files with details of al-Qaida planning against American targets. As a result, we now know a great deal more about the command and control operations of al-Qaida as well as there specific targets.

Since the fall of 2003, the Government of Pakistan (GOP) has stepped up its counterterrorism (CT) activities, most notably in the mountainous Federally Administered Tribal Areas. In early October 2003, the GOP warned tribal leaders in South Waziristan that those who failed to stop fellow tribesmen from harboring foreigners would have their property seized and face arrest. As of March 2004, over 70 individuals have been arrested. The GOP resumed operations in June, which are continuing to this day, despite taking casualties. Due to its success, the GOP has expanded this campaign to North Waziristan.

In parallel with military action, Pakistan has enhanced its legal, political, and public relations efforts against al-Qaida and the Taliban. In November 2003, the GOP deported eleven Jemaah Islamiyah members from Pakistan, and in December of last year, extradited Gun Gun Rusamn Gunnawan, brother of Indonesian al-Qaida leader Hambali, to Indonesia. Pakistan also handed over Pacha Khan Zadran, renegade Afghan warlord, to Afghan authorities last month. As of March 2004, the GOP has listed and offered rewards for over 70 terrorists.

U.S.-Pakistan joint counterterrorism efforts have been extensive. The U.S. Government has initiated significant cooperative programs that are increasing GOP CT capabilities and building important ties between the U.S. and Pakistan CT communities. These programs include long-term capacity-building efforts in border security, criminal investigations, and counterterrorism finance. The U.S. also participates, with Pakistan and Afghanistan, on the recently-formed Tripartite Commission, a problem-solving forum for discussing border and security-related issues. This mechanism allows for better coordination between the three nations and has significantly improved relations in the Pakistan-Afghanistan border region identified by the 9-11 Commission.

AFGHANISTAN

The removal of the Taliban regime from Afghanistan stripped al-Qaida of its primary sanctuary and support, and shut down long-standing terrorist training camps. Our ongoing work in Afghanistan continues to root-out the remnants of al-Qaida. With the loss of Afghanistan and its terrorism infrastructure there, al-Qaida has also been separated from facilities central to its improvised chemical and biological weapons and poisons development programs.

Al-Qaida has been a top-down organization with strong central leadership control over almost all aspects of its operations. Our ongoing operations against al-Qaida have served to isolate the leadership, and sever or complicate communications links with operatives scattered around the globe. Unable to find easy sanctuary in Afghanistan and elsewhere, the al-Qaida leadership must now devote much more time to evading capture or worse.

The U.S. Government is working closely with Japan and the United Nations Assistance Mission to Afghanistan, which jointly lead the nationwide disarmament, demobilization, and reintegration (DDR) of militias in Afghanistan. To date, the Afghanistan New Beginnings Program has helped demobilize numerous militia forces. The U.S. Government is working with the Afghan government, the UN, and Japan to enhance DDR efforts, including cantonment of heavy weapons nationwide. Current plans call for demobilization and disarmament of all militias by June 2005.

The USG continues to support security sector reform in Afghanistan by training and equipping the Afghan National Army. Currently over 10,000 ANA forces are deployed to different provinces in support of central government efforts to stabilize the provinces and Coalition efforts in Operation Enduring Freedom. The U.S. Agency for International Development (USAID), in coordination with the Afghan government, is supporting the development of Afghan national institutions at the national, provincial, and district levels. These include road building projects, schools, clinics, hospitals, government ministries, and local courthouses. These reconstruction efforts pay an added benefit as we seek to eliminate terrorist sanctuary in Afghanistan.

ARABIAN PENINSULA

The U.S. Government is working closely with its partners on the Arabian Peninsula to ensure that the area cannot be used as a safehaven or base of operations for terrorist activities. Overall, USG bilateral counterterrorism cooperation with the Arabian Peninsula has improved greatly over the past several years; all of these states have striven to become active partners in the Global War on Terrorism. The stakes are high, as al-Qaida and other terrorist operatives threaten these governments, as well as U.S. citizens and facilities in the region. We are engaged with the governments on the peninsula to bolster their counterterrorism capacities and support their efforts to combat terror. This includes support for border security, law en-

forcement training, extensive intelligence support, training and advice to combat terrorist financing, and in the case of Yemen, economic development support.

Yemen

We are working with Yemen to enhance our partnership in the war on terrorism. The USG restarted a Foreign Military Financing (FMF) program in 2002 to support the counterterrorism mission of the Yemeni military. FMF support has also backed the creation of a Yemeni Coast Guard, which while still modest in scope, has already begun to conduct patrols off of Yemen's long coastline.

In 2003, improvements in Yemen's internal security situation enabled USAID to reestablish a mission in Sanaa. Our development assistance in Yemen targets health, education and agriculture in underdeveloped governorates in an effort to strengthen and extend the central government's authority in remote tribal areas historically sympathetic to terrorists. We have been working with Yemen since 2001 to implement a terrorist watchlisting capability and to date have installed computerized systems at two dozen Yemeni ports of entry. The Yemeni government is also working with us to enhance their border security and export control measures.

Saudi Arabia

Since the May 2003 attacks in Riyadh, the Saudi government (SAG) has arrested more than 600 terrorist suspects, and has conducted more than 60 raids throughout the country, yielding tons of explosives, large caches of arms and ammunition, and valuable insights into the plans and capabilities of the Saudi al-Qaida network. The Saudi security forces have lost approximately 30 men in counterterrorism operations. The government's two widely-publicized Most-Wanted Terrorist lists issued in 2003 included the pictures and names of a total of 39 suspects as part of a sizable rewards program. Twenty-seven of these individual have been killed, captured, or have surrendered during the past 15 months. The Saudis have also jointly designated nine branches of the al-Haramain Charitable Foundation to the UN 1267 Committee. In all, we have jointly designated more entities with Saudi Arabia than any other state.

We have had solid cooperation on intelligence sharing and case development through our Joint Task Force on Terrorist Financing. The Saudis have already instituted a variety of new laws and regulations that have the potential to fundamentally alter their banking and charity systems. These steps were validated by the February report of the Financial Action Task Force (FATF) and Gulf Cooperation Council (GCC) assessment of Saudi Arabia's system of anti-money laundering and counter-terrorism finance laws and regulations. These entities found the Kingdom to be in compliance or near-compliance with international standards in almost every indicator of effective instruments to combat money laundering and terrorist financing.

HORN OF AFRICA, SOMALIA AND KENYA

To counter the threat posed by al-Qaida in the Horn of Africa, the Department is cooperating with numerous partners, including the Department of Defense and host governments, to suppress the activities of terrorists in the region, to arrest and bring to justice those who have attacked us, and to diminish the conditions in those societies which provide terrorist sympathizers with refuge and support. Much of this latter cooperation takes place in the context of President Bush's \$100 million East Africa Counterterrorism Initiative, announced in June 2003 on the occasion of his trip to the region. Djibouti, Eritrea, Ethiopia, Kenya, Tanzania and Uganda participate in this initiative.

In late 2002, the Defense Department established the Combined Joint Task Force—Horn of Africa (CJTF—HOA) which participates in counter-terrorism efforts in the Horn of Africa region. CJTF—HOA is part of the U.S. Central Command and functions in the context of Operation Enduring Freedom.

In Kenya, we are working with the Kenyan government to improve its capabilities in the areas of counterterrorism, border control, law enforcement and criminal investigation, airport and seaport security. We also welcome the efforts of the Kenyan government and its partners in the Intergovernmental Authority on Development (IGAD) to help the numerous parties in Somalia to reconcile and form a functioning national government.

In Ethiopia and Djibouti, we have formed close partnerships to counter the threat of terrorism coming from Somalia. We believe that our successes have degraded the terrorists' capabilities, but the threat has not yet been fully countered. We continue to act against the terrorist networks at every opportunity.

SOUTHEAST ASIA

Southeast Asia is a major front in the global war on terrorism, and continues to be an attractive theater of operations for regional terrorist groups such as Jemaah Islamiyah (JI). The governments in Southeast Asia have been reliable partners in the war on terrorism, but they face tremendous challenges to dealing with the terrorist threat. Indonesia, for example, has arrested over 110 suspected terrorists and convicted some 30 terrorists since the October 2002 Bali bombings; yet as a vast archipelago, effective border control is extremely difficult.

We are making progress by working with many of the governments in the region to provide assistance and prevent them from becoming terrorist sanctuaries. We have a robust Anti-Terrorism Assistance (ATA) program throughout the region, and we are seeing results. In 2003, Thai authorities captured Hambali, JI's operation chief and Al-Qaeda point man in Southeast Asia, a significant blow to JI.

In the Philippines, we have seen success as the Philippine National Police have thwarted plots in Manila and arrested suspected members of JI and the Abu Sayyaf Group. In Indonesia, we implemented an \$8 million program to train and equip a specialized counterterrorism unit within the Indonesian National Police. This unit has significantly contributed to the arrests and prosecution of members of JI, the group responsible for the Bali and Jakarta Marriott bombings. In Thailand and the Philippines we are also working to implement terrorist watchlisting capabilities at key points of entry.

Because terrorism in Southeast Asia is a regional problem, we also work in a regional context to provide CT assistance. Through centers like the Southeast Asia Regional Center for Counterterrorism in Malaysia and the U.S.-Thailand International Law Enforcement Academy in Bangkok, we are providing counterterrorism training to law enforcement officers throughout the region. The Jakarta Center for Law Enforcement Cooperation, recently opened by the Australian and Indonesian governments, provides an additional opportunity for regional training. We are also working with other capable partners to maximize the amount of assistance we can provide: through the G-8's Counter Terrorism Action Group (CTAG) process, our embassies coordinate CT assistance programs with other embassies in each capital to ensure no duplication of effort.

By working with the governments in Southeast Asia and other regional partners, we are making consistent progress towards increasing Southeast Asian governments' capabilities to fight terrorism and prevent the region from becoming a sanctuary for terrorists.

WEST AFRICA

In West Africa, the primary threat is not from al-Qaida against the U.S., but from a radical Islamist group, the Salafist Group for Call and Combat (GSPC), which has been attempting to overthrow the government in Algeria and impose an Islamist regime. Through the Pan-Sahel Initiative, an \$8.4 million program, we have sought to better equip the nations of the area by providing training and equipment to improve their border security and deny the use of their sovereign territory to terrorists and criminals. Our partner nations of Chad, Niger, Mali, and Mauritania have demonstrated their seriousness by attacking, pursuing, and degrading the GSPC's capabilities over the last nine months.

CENTRAL AND EASTERN EUROPE

Although no European or Eurasian country provides "sanctuary" to terrorist groups, large immigrant communities in some of the cities of Western Europe are potential sources of support for extremists. Terrorist activity and the presence of terrorist support networks in Europe is a source of concern. Complicating efforts to combat this threat is the fact that some countries have legal impediments to taking firm judicial action against suspected terrorists, often stemming from asylum laws that afford loopholes, inadequate CT legislation, or standards of evidence that lack flexibility in permitting law enforcement authorities to rely on classified-source information in holding terrorist suspects. Ease of travel within Schengen visa countries could also make Western Europe attractive to terrorists. In the countries of Central and Eastern Europe, where immigrant communities are smaller, the ability to monitor and control possibly suspect activities and travel is often less than in more developed West European states.

To address these potential weaknesses, we continue to work closely with European partners to strengthen anti-terrorist legislation and to help less capable states improve their abilities to restrict terrorists' freedom of action, block assets, and address social pathologies that contribute to terrorism's spread. European and Eur-

Asian countries have been reliable partners in sustaining the global coalition against terrorism. Since September 2001, many countries in the region have significantly strengthened their legal and administrative ability to take action against terrorists and their supporters, including freezing their assets.

The contributions of European countries in sharing intelligence, arresting members of terrorist cells, and interdicting terrorist financing and logistics have been vital elements in the war on terrorism.

Al-Qaida and its associated terrorist cells remain the main organizations of concern in the war on terrorism in Europe, but North African groups are also active; the Madrid bombings, which appear to have been undertaken locally by one such group, may be the harbinger of future attacks organized primarily from within the target countries. Al-Qaida and other extremist groups recruit and proselytize heavily in some major European cities: Richard Reid, the shoe bomber, was recruited at a mosque in London; Mohammed Atta's cell was centered around a mosque in Hamburg; Italian police believe some Islamic Cultural Centers and mosques in Milan serve al-Qaida recruitment centers. Networks among these groups are increasingly evident. In addition, terrorist groups opposed to the Middle East peace process (e.g. Hizballah) have active propaganda, fund raising and other support activities in Europe.

MULTILATERAL EFFORTS IMPACTING TERRORIST SANCTUARY

As the 9-11 Commission's report title, "What to Do? A Global Strategy," implies, and as President Bush has stressed on numerous occasions, fighting terrorism requires a global strategy and a global response. In addition to working bilaterally with partners, the United States' diplomatic corps has aggressively mobilized the UN and other international organizations to take the fight against terrorism to every corner of the globe.

UN Security Council Resolution 1373, adopted with strong U.S. leadership shortly after the attacks of 9-11, assigns firm and binding obligations on all states to "deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens." We have used our permanent seat on the UN Counterterrorism Committee (CTC) to ensure that the UN fulfills its mandate to identify states that fail to meet such requirements. In this fashion, we identify and support measures to help the international community to bring assistance to those countries that are willing but unable to comply, and apply pressure to those lacking will.

In many problem sanctuary areas, lack of counterterrorism capacity is the primary impediment to rooting out terrorists. We work with other donors in the Counterterrorism Action Group (CTAG), a 2003 U.S. initiative within the G-8, to coordinate and increase CT donor activities, and to prioritize targeted assistance to high-risk countries.

International donor CT assistance provided to these countries ranges from building basic law-and-order capacity to legislative assistance to border security assistance. This effort is focused on improving the ability to identify and interdict terrorists before they can take haven, and to track down and disrupt those who have already infiltrated the country. To build on the USG's \$100 million East Africa Counterterrorism Initiative, for example, other CTAG donors joined to contribute and coordinate assistance to maximize its impact. In Thailand, CTAG is working with the Thai government to crack down on document fraud, a major problem that has enabled terrorists to seek sanctuary in the region using false documents. In the Philippines and Indonesia, CTAG donor resources are helping to provide effective, humane, and legitimate means to eliminate entrenched terrorists.

The President obtained agreement from his G-8 counterparts at the June 2004 Summit to adopt the Secure and Facilitated International Travel Initiative (SAFTI), which includes 28 action projects that will make it much harder for terrorists to use or attack or exploit transportation networks. By increasing security impediments to terrorist travel, we will further limit their ability to seek safe haven or to flee a sanctuary country. As the G-8 completes its work on these projects, it has agreed to export them to other countries using CTAG to build will and capacity to prevent terrorists from creating and maintaining sanctuaries. When the fruits of these projects are exported to international standard-setting bodies, we trust that this will help close the gaps in our international counterterrorist regimes currently exploited by terrorists seeking sanctuary.

In closing, I would like to assure the Subcommittee members and the public that multiple efforts are already underway to actively deny terrorists safe haven in the regions outlined in the 9-11 Commission report. With the support of Congress, many programs mentioned today are actively engaging this crucial recommendation,

and I am confident that today's hearing will provide additional stimulus to enhance and expand our capabilities.

Thank you again for the opportunity to appear before the Subcommittee. I would be happy to take your questions.

Mr. GALLEGLY. Thank you, Mr. Ambassador. Mr. Ambassador, do you believe that Iran is currently a sanctuary for al-Qaeda terrorists?

Mr. BLACK. Absolutely. In the list of the state sponsors of terrorism, Iran clearly has facilitated terrorist groups and terrorism covering the spectrum from facilitating the operations of Hezbollah, providing transit for them, providing material support, at times including weapons, and we also have the—they have admitted to facilitating the safe-havening of certain leadership elements of the al-Qaeda organization. So their involvement in terrorism is longstanding and is of deep concern to us.

Mr. GALLEGLY. Can you give us the current status of high-profile members of al-Qaeda like Saeed bin Laden and also Saif al-Adel?

Mr. BLACK. I think that's the preserve of the intelligence community. It is—I am aware that individuals of significance reportedly are being supported in Iran. You also have the Iranian government acknowledging that they have been facilitating the safe-havening of al-Qaeda individuals. They have rendered in the past some more low-level individuals to third countries. We repeatedly requested that the Tehran regime provide us access to these individuals. If they are unable or unwilling to deport them to the United States, certainly to third countries so that we can have access to them for purposes of acquiring threat intelligence which is the purpose of this—to protect innocent men, women and children.

Mr. GALLEGLY. In the interest of time, I'll yield to the gentleman from Sherman Oaks, Mr. Sherman.

Mr. SHERMAN. Thank you. Perhaps, Ambassador, you could respond for the record on Kenya. There's been a number of folks there who think that we should compensate the victims, which is absurd, since we didn't cause the harm, but I would hope that we would be looking at these assets seized from al-Qaeda and perhaps encouraging the bin Laden family itself—a multi-billion dollar family—to provide some help for those people who were killed in the East Africa bombings.

I want to demonstrate the fact that I follow the leadership of our Chair by focusing my time on Iran as well. I am even more concerned—I need that encouragement to do that. I'm more concerned about their nuclear program than their involvement in terrorism, but as the Ambassador has said, they are a haven for terrorists and it appears as if they have, or are currently providing sanctuary for those who planned the 2003 Riyadh bombings, the Madrid bombing, and Abu Zarqawi, who killed Americans in Iraq.

The question I have for you, Mr. Ambassador, is: Is there any reason the Iranian government would think that they might lose access to the United States markets—not for the petroleum, they don't sell us petroleum, but they don't need to, lots of people buy their petroleum. But as you know, we import their luxury goods and if they don't have our markets there's nowhere else they're going to sell them, at least for high prices. Is there any reason the Iranian government would have to think that they just can't con-

tinue being a sanctuary for terrorism and still have access to our markets for those goods?

Mr. BLACK. I think the statements of the Administration and the Secretary of State are very clear. Those of us that have followed the Tehran regime and their support for terrorism realize that we're mobilizing the various elements, diplomatic, primarily to isolate the regime. There's a price to be paid. We watch very closely what they do. We realize that they consider terrorism as a potential tool.

Mr. SHERMAN. If I could interrupt you for a second. We're thinking about and planning to cost them something, but the easiest thing we could do in the world is simply close our markets to their luxury goods. We chose not to do that in 2000, 2001, 2002, 2003 and most of the way through 2004, but maybe we would do it at some point, take even that tiny little step which requires no coordination. It could be done with an Executive Order tomorrow which the Secretary of State told our Full Committee he would look into. I believe it was over 6 months ago and we still haven't taken that step, but we're thinking about it.

Can you give me any reason why we wouldn't just halt those imports now as a first step?

Mr. BLACK. Primarily, I do counterterrorism, not trade issues, but as you described it—

Mr. SHERMAN. It's an economic sanction.

Mr. BLACK. It's a sanction issue. Essentially, I think even you described it as a small step. We view our relationship with Iran to have great significance. We are concerned about their exports and support for terrorism. We are concerned about their development of weapons of mass destruction and we put our emphasis on mobilizing the international community against that.

Mr. SHERMAN. The longest journey begins with one small step and I yield back my time.

Mr. GALLEGLY. Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. Since May 2003 when Saudi Arabia faced the attacks internally, we've seen a number of people arrested, over 600 people suspected to be tied to terrorism in 60 different raids in Saudi Arabia.

My question is, how many of those individuals have we had access to? How many of those alleged terrorists have we been able to interview?

Mr. BLACK. We have a very close relationship with the Saudi government in terms of counterterrorism. And I can assure you since I've been involved in this in the State Department and from January 2003, I have appeared in front of various Committees. Some of the questions were very critical about where are we, where is the support from Saudi Arabia? And I have always told the Saudis that if they step up to this threat, which is a joint threat, then I will speak to the reality of what they have done.

We view the terrorist problem as a joint issue. There is a very robust exchange of information and capability. We provide operational support. They provide us intelligence information and we participate, as appropriate, in the exploitation and processing of this information.

Mr. ROYCE. As discussed earlier, we know Iran is holding al-Qaeda operatives, but in this particular case I understand your answer that we're gleaning information from the Saudis. To go back to my specific question, do we have access to interview these individuals, or will we have that access?

Mr. BLACK. What I would say in an open forum like this, Congressman, is that American intelligence law enforcement is well pleased with the type of relationship that we have with Saudi Arabia.

Mr. ROYCE. I appreciate that, sir. That answers my question.

I've got another question about the Commission report where it cites European cities with large ex-pat Muslim populations in those cities as offering potential sanctuary for some in the community who are involved in terrorism. Have the Europeans fully grasped the problem that they face? And the reason I ask that is because I'm concerned with the number who have escaped punishment. You have 544 people arrested in the United Kingdom under their anti-terrorist legislation and I think only six of those have been convicted. And we have similar, across Western Europe we have a similar challenge in that we're seeing people released, we're seeing people that are involved in al-Qaeda basically not brought to justice. I'd like you to comment on that.

Mr. BLACK. Yes sir. I believe your question is essentially in two parts. Do the Europeans, particularly the West Europeans, appreciate the potential threat from some communities and their countries? I think they do. They have come to appreciate that they need to have effective knowledge and exchange of information of operatives that come into and transit to their communities, that they are devoting increasing resources to it. This is a big issue. This is an issue that the United States is helping our partners with and the American contribution to this is to be an international global counterterrorist entity. The exchange of information is very good now and it's getting to be better.

Yes, they are aware of it and that is the good news. Comparatively, an area for greater improvement would be the legal system in which some European countries assess and handle potential counterterrorist suspects and they are looking to that. They are seeking increased commonality. The European Union is looking at ways to standardize rules, laws, regulations and deportations. We're involved in this process, so I would tell you essentially that the trend of this is good. We have a long way to go and it is comparatively a weaker area of appreciation of the terrorist threat from some communities in Western European countries.

Mr. GALLEGLY. Gracie, do you have anything?

Ms. NAPOLITANO. No. I just want to thank you for being here and certainly there's a lot of questions I'd like to have, but I'd like to reserve them and put them in writing.

Mr. BLACK. Yes ma'am.

Ms. NAPOLITANO. I just wanted to hear your testimony. Thank you.

Mr. BLACK. Yes ma'am. Thank you very much.

Mr. GALLEGLY. Dana.

Mr. ROHRBACHER. For the record, Mr. Chairman, let me just note that America was the first sanctuary for which the 9/11 ter-

rorists operated. Let us never forget that. We have to make sure our own country is not a sanctuary for terrorism, if we are to be safe and not just focus on overseas. And let me note that the Commission report did take on the issue of illegal immigration. It touched on it. Our witnesses today didn't even touch on it and the report of the Commission just took a pass on trying to deal with the Patriot Act, both of which are significant to whether or not this country can use the base of terrorist operations against our own people.

Now in terms of you, Mr. Ambassador, I'd like to ask you this question. The Commission did suggest the intelligence—oh yes, the one other thing I'd like to associate myself with the comments of Mr. Sherman. I think that his concern for Iran reflects my own and I respect this focus on this great threat to our country and I associate myself with his criticism.

In terms of what the Commission suggested in terms of an intelligence czar, I look at 9/11 as a failure of people who were incompetent and policies that were wrong, not in terms of structure. The creation of an intelligence czar is a heavy recommendation for a change of structure.

Would we have had better information, in your opinion, had we had an intelligence czar before 9/11 and would that have in any way affected the outcome of 9/11?

Mr. BLACK. I prefer not to answer a speculative question, but I would say that the proposed national intelligence director would combine the two areas of foreign intelligence and domestic intelligence through the national counterterrorism center director in a way that I personally think would be very helpful and constructive.

Mr. ROHRABACHER. Thank you very much for that answer. Just to note that during the last Administration the person most responsible for separating those two areas of intelligence was Ms. Gorelich who is a member of the Commission, is a member of the 9/11 Commission, so which Republicans protected time and again.

Thank you very much for your testimony today.

Mr. GALLEGLY. I thank the gentleman. I just want to remind Mr. Rohrabacher that it wasn't very long ago in this very room that the Subcommittee did hold a fairly extensive hearing most specifically directed to the issue of illegal immigration. And I know that Mr. Rohrabacher knows of this Chairman's particular passion and the significance for this issue on the issue of anti-terrorism. However, in defense of the two Commissioners that were here earlier, the issue before us today had to do specifically with sanctuaries and I respect the position that they took. But there will be another day.

Mr. Berman, did you have a closing question?

Mr. BERMAN. Yes, and it won't be about the failure of the Commission to comment on the tax cut to the wealthy that kept our resources from giving enough funds to international relations. [Laughter.]

Mr. GALLEGLY. I'm glad you made no reference to that, Mr. Berman. [Laughter.]

Mr. BERMAN. In addition to the gratuitous inaccurate comment on Commissioner Gorelich, but other than that, the question, Mr. Ambassador, I wasn't satisfied with your answer to Mr. Sherman

and I'm told that's not the first time you've given that answer to Mr. Sherman.

In the mid-1990s, the Secretary of State altered the embargo, our unilateral embargo on Iran to allow for the importation of a few items, caviar, carpets, pistachio nuts. I take it as to caviar and carpets, those are now being imported into this country. I'm not saying this is large, I'm not saying it's that significant, but I am curious. It was done for some specific purpose, it was to send a signal to the Iranian leadership about a willingness perhaps to enter into dialogue. There are all kinds of subtle reasons for it. None of those turned out to come to fruition as far as I can tell, unless you tell me otherwise.

I'm curious, what—I think Members of Congress have a right to hear not a formulaic answer, but specific questions about the pros and cons of repealing that exemption to the embargo and why the Administration has concluded that it shouldn't be repealed, those exemptions. Just real specifically on that narrow, small, not critical, but existing issue.

Mr. BLACK. My response to that is, Congressman Berman, you deserve a response to that and what I would like to do, sir, is take that back and give you a written response. I'm specifically focused on counterterrorism. And pistachios and rugs and its role in the diplomatic relationship with Iran—while I'm sure is important—I think it's one I'd like to consult with my colleagues and get back to in a written form. If you like sir, I'll make an appointment and come and see you in your office in Washington and brief with everything I know.

Mr. BERMAN. Fair enough.

Mr. GALLEGLY. Mr. Flake, we've been pushing the envelope a little bit and I appreciate your patience and I'm glad to have you here. You have a brief question?

Mr. FLAKE. Yes, very brief. You touched on it before when you said that you do feel it is useful to have, in a counterterrorism center, domestic and foreign intelligence gathered. How will that impact your ability to do counterterrorism in the State Department? Do you see it negatively impacting or do you see—we don't know until it's formed, but do you see yourself being able to function as you have in the past or more effectively?

Mr. BLACK. Absolutely. I think it's a very good question and again, we're talking about something in the future. It's not completely ironed out, but from the State Department viewpoint, we see this as a good thing. We see diplomacy in international relations, the preserve of the Secretary of State responding to the President and my role would be enhanced but doing essentially the same kind of job I'm doing now, but even enhanced having law enforcement and intelligence as a more effective combined force. My job, if you boil right down is to create the will overseas to fight terrorism, to help them with capacity, but to facilitate the effectiveness of the U.S. military, U.S. intelligence services and law enforcement to do their job. So for us, for me practically, it would make my job easier.

Mr. FLAKE. Thank you.

Mr. GALLEGLY. I would yield an additional minute inasmuch as the gentlelady did not use her time.

Ms. NAPOLITANO. Thank you, Mr. Chairman, and I don't expect an answer, but I'd like to have it in writing and part of it is a statement that the U.S. has been very generous with many of these countries who are rogue countries by giving them funding through the years and it continues to go in the same manner.

Is there a way of a finding out for us as Members of the Committee or Members of Congress whether that money that is going to these areas is actually filtering to the areas of need? Or is it landing in the pockets of the politicians or some of the leadership that could conceivably turn around and be used against us in other areas? And then there's talk, there's been articles, that have been pointing to that.

Are there monies currently going to rogue nations to those that are sheltering al-Qaeda or terrorist groups that we need to start looking at how do we define and where it's going to—again, whether it's being routed or being used against us?

Mr. BLACK. That is, of course, a very insightful—but a very broad—question. You may wish, when you return to Washington, for me to come by and brief you in detail. But essentially the short answer to this would be those countries that are state sponsors of terrorism receive no financial funding from us. Those significant countries that have a terrorist problem, those funds are allocated for the purpose of working with us to identify and to stop these terrorists from hurting innocent men, women and children.

Ms. NAPOLITANO. I'd appreciate it in writing. I'd like to sit with you personally, but something to the effect the Commission can understand your answer to my question, if you would. Thank you, Mr. Chairman.

Mr. GALLEGLY. Ambassador Black, thank you very much for being here today as always. I had hoped the record would reflect our appreciation to the previous witnesses, also to the Members that have traveled from far and I wide. I know that it was a little difficult for all of us to get our schedules together. Particular appreciation to the Ranking Member for his work, to work with me to come up with a date that we could work with and I want to thank you all for your cooperation.

And with that, the Subcommittee stands adjourned.

(Whereupon, at 12:07 p.m., the Subcommittee was adjourned.)

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

WRITTEN RESPONSE FROM THE STATE DEPARTMENT TO QUESTIONS POSED TO THE
HONORABLE J. COFER BLACK, AMBASSADOR-AT-LARGE, COORDINATOR FOR COUN-
TERTERRORISM, U.S. DEPARTMENT OF STATE, DURING THE HEARING



United States Department of State

Washington, D.C. 20520

AUG 31 2004

Dear Mr. Chairman:

This is in response to questions that arose during the August 6 hearing of the International Terrorism, Nonproliferation and Human Rights Subcommittee held in Los Angeles. Congressmen Sherman and Berman asked Ambassador Black about trade in certain Iranian products.

Current U.S. sanctions on Iran prohibit trade in the vast majority of Iranian products. These sanctions do permit import of Iranian carpets and food products such as dried fruit, nuts, and caviar.

These goods largely come from cottage industries responsible for only a few percentage points of Iran's foreign trade (less than three percent for dried fruit, nuts, and caviar; less than three percent for carpets), but which are labor intensive activities. While powerful middlemen are involved in all of these industries, the vast benefits flow to small producers. Prohibiting these imports would affect the powerless people of Iran, who are increasingly pro-U.S. Such sanctions would send a counter-productive message. Aside from alienating friendly segments of the population, it could prompt the Iranian government to block the import of U.S. medical and agricultural goods--thus hurting U.S. business--without having a significant impact on Iranian policy. The oil and petrochemical industry accounts for 85 percent of Iran's export earnings but employs comparatively few people.

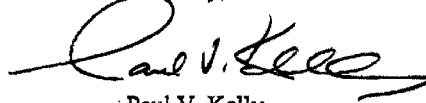
The Honorable
Elton Gallegly, Chairman,
Subcommittee on International Terrorism, Nonproliferation
And Human Rights
Committee on International Relations,
House of Representatives.

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It is important to take a firm line with Iran, but it is clearly in our interest to differentiate between the Iranian government and the Iranian people. The United States enjoys considerable goodwill among the Iranian public. That is a positive development in a region often characterized by anti-American sentiment. We should thus differentiate between government and people and target our activities accordingly.

Please do not hesitate to contact us if we can be of further assistance. We are also providing this response to Representatives Sherman and Berman.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Paul V. Kelly
Assistant Secretary
Legislative Affairs

WRITTEN RESPONSES FROM THE STATE DEPARTMENT TO QUESTIONS SUBMITTED FOR
THE RECORD BY THE HONORABLE GRACE F. NAPOLITANO, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

IN GENERAL

Question:

Can you list in priority order your top five (or ten) actual or emerging sanctuaries? Have we developed specific plans for each of these countries/regions?

Response:

The threat we face is a global one and we continually monitor regions all around the world that could serve as terrorist sanctuaries. To that end, we prioritize responses to enable us to act in an appropriate and effective manner to address differing challenges in different regions. With respect to some of the areas highlighted by the 9/11 Commission:

- Pakistan: We are providing military, law enforcement and other assistance to enable the Pakistanis to close down terrorist sanctuaries, especially along their border with Afghanistan.
- Somalia: In the absence of a government, we are cooperating closely with Somalia's bordering neighbors and other GWOT allies to cut off arms flows and monitor terrorist movements.
- Europe: Along with close intelligence cooperation, we are consulting bilaterally and through the EU on how some European partners can strengthen CT laws.

The key to identifying, prioritizing, and preventing potential sanctuaries lies in developing timely useable intelligence in conjunction with partners around the world. In many potential sanctuaries, lack of CT capacity by the governments is the main impediment to rooting out terrorists and to getting information that can provide early warning of a developing safehaven. We have therefore initiated cooperative programs designed to increase partners' will and CT capabilities and to build ties among U.S. and foreign CT communities. These include long-term capacity-building efforts in border security, criminal investigations, intelligence support, and training /advice to combat terrorist financing, as well as a robust Anti-Terrorism Assistance program to bolster law enforcement and CT capabilities.

We also work in a regional context to provide CT assistance through the G-8's Counter Terrorism Action Group (CTAG) process. For example, our embassies coordinate CT assistance programs with other G-8 embassies in capitals to avoid duplication of effort. We have also aggressively mobilized the UN and other international organizations. In June, the G-8 adopted the Secure and Facilitated International Travel Initiative which includes 28 action projects that increase impediments to terrorist travel, and limit their ability to seek safe haven or sanctuary. As the G-8 completes these projects, they will be offered to other countries and international standard-setting bodies to build capacity that will help prevent terrorists from creating and maintaining sanctuaries. This will also help close gaps in our international CT regimes currently exploited by terrorists.

AFGHANISTAN/PAKISTAN

Question:

In Afghanistan, the security situation outside of Kabul remains very problematic and warlords have tightened their grip on power in large parts of the country. In addition, the drug trade is booming and Afghanistan now supplies 75 per cent of the world's opium.

A) What is the U.S. government doing to tackle the opium crisis that is financing the anti-Coalition forces, threatening democratic gains and possibly restoring Taliban or extremist sanctuaries throughout the country?

B) Are there enough U.S. troops in Afghanistan to eliminate al Qaida elements and on the other hand help to facilitate safe and fair elections? Is there a projection about the increase/decrease of U.S. troops for the next twelve months available?

Response:

Afghanistan today is in the midst of an historic transition. Although lawless elements represent a problem for the nascent democracy there, the Afghan government has made substantial progress in demobilizing regional militias and implementing political reform nationwide. It is the Department's hope that presidential elections, scheduled for October 9, and parliamentary elections, scheduled for the spring of 2005, will further enhance the government's authority and credibility.

In providing a safe and secure environment for these elections, U.S. troops will not be alone. The Afghan National Army and police forces will also be available to provide security. These U.S.- and Western-trained forces number over 29,000. More than 40 other countries are providing support to Operation Enduring Freedom or the International Security Assistance Force. In addition, NATO plans to deploy two additional battalions, one each from Spain and Italy.

It is true that poppy cultivation also presents a grave challenge to the fledgling democracy. The drug economy in Afghanistan is deeply embedded in the culture, and has been so for nearly a century. Criminal financiers and narcotics traffickers in and outside of Afghanistan have taken advantage of the fragile security situation and have exploited poor farmers in a rural economy decimated by years of war and drought. Nevertheless, the U.S., British, and Afghan governments are actively engaged in meeting this challenge. Significant progress was made in developing Afghan counternarcotics programs this past year. The Afghan Special Narcotic Force began interdiction operations in key provinces. The Central Poppy Eradication Force has been established and, while much work remains, the Force and the government have gained valuable experience upon which to build for next year. The Department of State's Bureau of International Narcotics and Law Enforcement Affairs also has an active program in Pakistan to combat narcotics trafficking and improve border security, reducing the trafficking in drugs and materiel.

Aside from specific counternarcotics programs, the international effort to reconstruct Afghan society as a whole will also diminish the narcotics threat. As impoverished poppy growers begin to see alternative livelihoods, they will be less likely to fall prey to exploitation by narcotics traffickers. Since 2001, the U.S. government has committed more than \$4.3 billion to this general reconstruction effort, the largest contribution of any single country.

Question:

Pakistan is a country that has cooperated since 9/11 in our war against al-Qaida specifically and terrorism in general. However, there are continued reports that al-Qaida and other extremist Islamic groups continue to operate in that country and that elements in that society are at least tacit supporters of al-Qaida.

A) What is the State Department's general approach to Pakistan? Specifically, how can we ensure that Pakistan will not become a safe haven for terrorists?

B) Within the State Department's public policy efforts, is there a specific strategy to address the anti-American/pro-jihad sentiment among many Pakistanis, especially government officials and low-ranking army members?

Response:

Pakistan has long had a cadre of radical Islamists who perpetrate violence against perceived enemies of their faith, including innocents. They are not representative of the general population, however. Under the leadership of President Musharraf, Pakistan has cut its ties to the Taliban and made the difficult decision to become a full partner with the U.S. in the global war on terrorism. The U.S. is also working diligently to reach out to the many moderate Muslims in the country who do not support terrorism.

Our public statements at the highest levels have assured Pakistan of our support over the long term, in providing military aid, economic aid, law enforcement development, counternarcotics assistance, and education. Pakistan in turn has responded positively by arresting over 500 radicals including some of al-Qaida's most senior supporters and operatives, who have provided extremely important information. Pakistan continues to pursue al-Qaida and Taliban militants and other anti-government forces in the Federally Administered Tribal Areas, a region that has never been under control by any government, dating back to before 1900. This continued pursuit has forced al-Qaida to spend more time on its own security, and less time planning attacks on the U.S. and its allies. The FATA is difficult terrain for the Pakistan army, and it has sustained casualties in the pursuit of these terrorists.

As the 9/11 Commission has pointed out, it is vital that the U.S. reach out to influence incorrect perceptions of our intentions in the region. To achieve this objective, the U.S. is building relationships between the United States and individuals and communities in Pakistan. The number of diplomats in public diplomacy work has begun to rise due to support for the Secretary's Diplomatic Readiness Initiative. We have launched a series of educational exchange programs to bring educational and religious leaders as well as youth leaders and professionals to the U.S. Our Urdu language broadcasting has increased to 12 hours per day, and special programming for Pakistan will be rebroadcast throughout the country for two hours each day on FM radio. The U.S. Embassy in Pakistan also holds monthly webchats between embassy officers and members of the public.

WESTERN HEMISPHERE

Question:

Are there areas in the Western Hemisphere, such as the Tri-border area, Margarita Island (Venezuela) and Iquique, Chile and Colon, Panama, which are potential terrorist sanctuaries? How can we effectively shut down fundraising there? Is there evidence of other activities in support of terrorist organizations in South or Central America?

Response:

Some locations in the Western Hemisphere could be vulnerable to exploitation by terrorists for safe haven. However, there is no corroborated reporting that indicates that operational terrorist cells exist in the hemisphere.

Some time ago, the U.S. Government identified a few areas in the hemisphere, such as the Triborder Area (TBA) of Brazil, Paraguay, and Argentina, that had been used by terrorist supporters to raise funds, spread propaganda, and recruit. In response, the United States Government has worked on a bilateral and multilateral basis to enhance the counterterrorism capacity of those TBA countries, as well as other hemispheric partners, to combat terrorism financing and strengthen border security. State has dedicated more than \$1 million to counterterrorism capacity-building in the TBA countries, including support for a resident legal advisor, border visits, customs training, and financial intelligence unit training and technical assistance.

We are also working with our hemispheric partners to deny terrorists access to fraudulent travel and identity documents and prevent the movement of terrorists in the hemisphere. We are advancing border security efforts through various bilateral arrangements, including the U.S.-Canada and U.S.-Mexico border accords. The Terrorist Interdiction Program is providing some countries in the hemisphere training and equipment to better monitor and deter the movement of terrorists. We are also implementing the Container Security and Megaports Initiatives to increase monitoring of cargo headed for U.S. ports. On a multilateral basis, the USG works with the OAS Inter-American Committee Against Terrorism (CICTE) and the TBA's "3+1 Counterterrorism Dialogue" to provide capacity-building programs to assist countries in the hemisphere to become compliant with International Civil Aviation Organization (ICAO) and International Maritime Organization (IMO) standards.

Question:

Some parts of South America have huge Middle Eastern populations, with many extremist Muslims and ties to Hezbollah. Are we concerned with the rise of radical Islamic activity in South America, similar to Muslim expatriate communities in some European cities? Could parts of South America become possible safe havens for Al Qaida or other international terror groups?

Response:

While some members of Muslim communities in South America are sympathetic to, and even support the activities of Islamic Radical Groups (i.e., Hizballah) outside the region, we do not see that Muslim communities in South America as a whole are becoming radicalized. To the contrary, established Muslim communities in the region tend to moderate the radicals among them.

While one cannot discount categorically every possibility that al-Qaida or other international terror groups might seek safe haven in South America, it is improbable. There is no corroborated reporting of the establishment of Islamist international terrorist cells in South America. However, we are aware that individual terrorists have traveled to South America seeking temporary or permanent sanctuary for themselves.

BUDGET

Question:

Does it make sense to consolidate our foreign assistance programs aimed at fighting terrorism into a separate, larger counterterrorism assistance program?

Response:

No. There is a broad range of U.S. foreign assistance programs underway that are aimed at combating terrorism, from the training of specialized counterterrorism police units to public diplomacy and education projects. The Office of the Coordinator for Counterterrorism is charged with providing policy guidance and oversight of U.S. foreign counterterrorism assistance programs. Under the auspices of the NSC's Counterterrorism Security Group and its subgroups, all U.S. counterterrorism as-

sistance programs are coordinated interagency to ensure that they support broader U.S. foreign policy objectives.

Question:

Are there mechanisms that allow the U.S. government to keep track of money that we give to foreign countries to fight terrorism such as the Philippines, Pakistan, and others?

Response:

Yes. The State Department's Office of the Coordinator for Counterterrorism (S/CT) is responsible for the management and oversight of U.S. foreign assistance in the counterterrorism area. S/CT does not provide foreign governments with direct funding for counterterrorism programs. However, S/CT provides policy guidance, designs, and monitors U.S. counterterrorism capacity building programs and coordinates them through various interagency mechanisms that ultimately report to the Counterterrorism Security Group at the NSC.

With respect to oversight, the Bureau of Diplomatic Security's Office of Antiterrorism Assistance (ATA) conducts periodic country-specific "program reviews" to evaluate on-site the effectiveness of the assistance it provides to participant nations, such as Pakistan, the Philippines, and Indonesia. The program review teams examine not only how well ATA has trained various law enforcement counterterrorism personnel, but also whether the personnel trained are applying effectively their new skills in practice. The review teams also determine which more advanced training courses may be needed. The results of these program reviews are quantitatively measured by the interagency experts on each team and compared with baseline data to objectively evaluate the success of the ATA program overall and specifically within 25 counterterrorism competency areas.

On the terrorist financing front, the interagency Terrorist Financing Working Group (TFWG), chaired by the State Department, directs and supervises U.S. foreign assistance programs aimed at reinforcing our Allies' abilities to combat terrorist financing and money laundering. The TFWG meets biweekly to review the progress of counterterrorism finance and anti-money laundering training and technical assistance in almost 20 countries.

